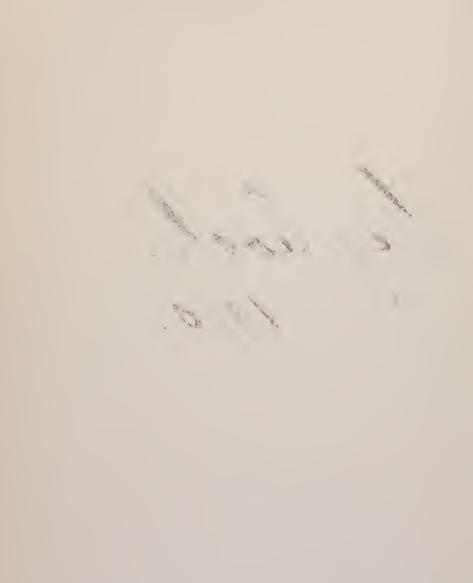








Lucy Cook. 1900.





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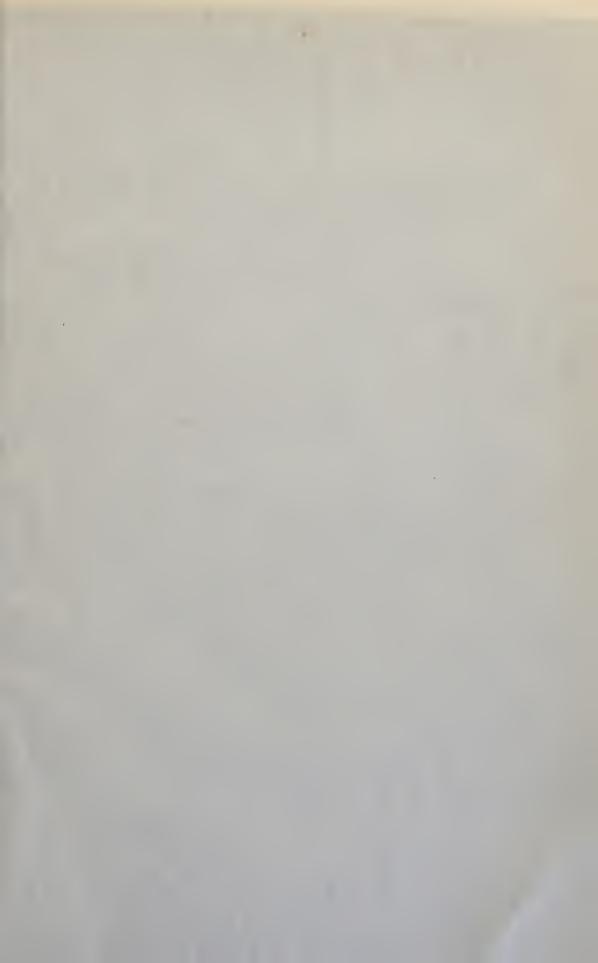
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# THE COMPLETE WORKS OF LORD MACAULAY





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### WHITEHALL EDITION

# The Ibistory of England

FROM THE ACCESSION OF JAMES
.THE SECOND

BY

#### LORD MACAULAY

With an Introduction by

EDWARD P. CHEYNEY, A.M.

Professor of European History, University of Pennsylvania

VOLUME IX.

ILLUSTRATED

G. P. PUTNAM'S SONS

NEW YORK AND LONDON

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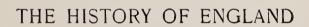
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## HISTORY OF ENGLAND

#### CHAPTER XXI

#### WILLIAM THE THIRD

N the Continent the news of Mary's death excited

various emotions. The Huguenots, in every part of Europe to which they had wandered, bewailed the Elect Lady, who had retrenched from her own royal state in order to furnish bread and shelter 1695. to the persecuted people of God. In the Effect of Mary's death United Provinces, where she was well known on the and had always been popular, she was ten-Continent. derly lamented. Matthew Prior, whose parts and accomplishments had obtained for him the patronage of the munificent Dorset, and who was now attached to the Embassy at the Hague, wrote that the coldest and most passionless of nations was touched. The very marble, he said, wept.<sup>2</sup> The lamentations

<sup>&</sup>lt;sup>1</sup> See Claude's Sermon on Mary's death.

<sup>&</sup>lt;sup>2</sup> Prior to Lord and Lady Lexington, Jan.  $\frac{14}{24}$ , 1695. The letter is among the *Lexington Papers*, a valuable collection, and well edited.

of Cambridge and Oxford were echoed by Leyden and Utrecht. The States-general put on mourning. The bells of all the steeples of Holland tolled dolefully day after day.1 James, meanwhile, strictly prohibited all mourning at Saint Germains, and prevailed on Lewis to issue a similar prohibition at Versailles. Some of the most illustrious nobles of France, and among them the Dukes of Bouillon and of Duras, were related to the House of Nassau, and had always, when death visited that House, punctiliously observed the decent ceremonial of sorrow. They were now forbidden to wear black; and they submitted; but it was beyond the power of the great King to prevent his high-bred and sharp-witted courtiers from whispering to each other that there was something pitiful in this revenge taken by the living on the dead, by a parent on a child.3

The hopes of James and of his companions in exile were now higher than they had been since the day of La Hogue. Indeed, the general opinion of politicians, both here and on the Continent, was that William would find it impossible to sustain himself much longer on the throne. He would not, it was said, have sustained himself so long but for the help of his wife. Her

<sup>&</sup>lt;sup>1</sup> Monthly Mercury for January, 1695. An orator who pronounced a eulogium on the Queen at Utrecht was so absurd as to say that she spent her last breath in prayers for the prosperity of the United Provinces: "Valeant et Batavi"—these are her last words—"sint incolumes; sint florentes; sint beati; stet in æternum, stet immota præclarissima illorum civitas, hospitium aliquando mihi gratissimum, optime de me meritum." See also the orations of Peter Francius of Amsterdam, and of John Ortwinius of Delft.

<sup>&</sup>lt;sup>2</sup> Journal de Dangeau; Mémoires de Saint Simon.

affability had conciliated many who had been repelled by his freezing looks and short answers. Her English tones, sentiments and tastes had charmed many who were disgusted by his Dutch accent and Dutch habits. Though she did not belong to the High-Church party. she loved that ritual to which she had been accustomed from infancy, and complied willingly and reverently with some ceremonies which he considered not indeed as sinful, but as childish, and in which he could hardly bring himself to take part. While the war lasted, it would be necessary that he should pass nearly half the vear out of England. Hitherto she had, when he was absent, supplied his place, and had supplied it well. Who was to supply it now? In what vicegerent could he place equal confidence? To what vicegerent would the nation look up with equal respect? All the statesmen of Europe, therefore, agreed in thinking that his position, difficult and dangerous at best, had been made far more difficult and dangerous by the death of the Oueen. But all the statesmen of Europe were deceived; and, strange to say, his reign was decidedly more prosperous and more tranquil after the decease of Mary than during her life.

A few hours after William had lost the most tender and beloved of all his friends, he was delivered from the most formidable of all his enemies.

Death of Luxemburg. Death had been busy at Paris as well as in London. While Tenison was praying by the bed of Mary, Bourdaloue was administering the last unction to Luxemburg. The great French general had never been a favorite at the French court: but when it was known that his feeble frame, exhausted by war and pleasure, was sinking under a dangerous dis-

ease, the value of his services was, for the first time, fully appreciated: the royal physicians were sent to prescribe for him: the sisters of Saint Cyr were ordered to pray for him: but prayers and prescriptions were vain. "How glad the Prince of Orange will be," said Lewis, "when the news of our loss reaches him." He was mistaken. That news found William unable to think of any loss but his own."

During the month which followed the death of Mary the King was incapable of exertion. Even to the addresses of the two Houses of Parliament he Distress of replied only by a few inarticulate sounds. William. The answers which appear in the Journals were not uttered by him, but were delivered in writing. Such business as could not be deferred was transacted by the intervention of Portland, who was himself oppressed with sorrow. During some weeks the important and confidential correspondence between the King and Heinsius was suspended. At length William forced himself to resume that correspondence: but his first letter was the letter of a heart-broken man. Even his martial ardor had been tamed by misery. "I tell you in confidence," he wrote, "that I feel myself to be no longer fit for military command. Yet I will try to do my duty; and I hope that God will strengthen me." So despondingly did he look forward to the most brilliant and successful of his many campaigns.2

There was no interruption of parliamentary business.

<sup>&</sup>lt;sup>1</sup> Saint Simon; Dangeau; *Monthly Mercury* for January, 1695.

 $<sup>^2</sup>$  L'Hermitage, Jan.  $\frac{1}{11}$ , 1695; Vernon to Lord Lexington, Jan. 1, 4; Portland to Lord Lexington, Jan.  $\frac{15}{25}$ ; William to Heinsius,  $\frac{\text{Jan. 22}}{\text{Feb. 1}}$ .

While the Abbey was hanging with black for the funeral of the Queen, the Commons came to a vote which at the time attracted little attention, which pro-Parliamentduced no excitement, which has been left unary proceednoticed by voluminous annalists, and of ings; emancipation of which the history can be but imperfectly the press. traced in the Journals of the House, but which has done more for liberty and for civilization than the Great Charter or the Bill of Rights. Early in the session a select committee had been appointed to ascertain what temporary statutes were about to expire, and to consider which of those statutes it might be expedient to continue. The report was made; and all the recommendations contained in that report were adopted, with one exception. Among the laws which the Committee thought that it would be advisable to renew was the law which subjected the press to a censorship. question was put, "that the House do agree with the Committee on the Resolution that the act entitled an Act for preventing Abuses in printing seditious, treasonable, and unlicensed Pamphlets, and for regulating of Printing and Printing Presses, be contin-The Speaker pronounced that the Noes had

A bill for continuing all the other temporary acts, which, in the opinion of the committee, could not properly be suffered to expire, was brought in, passed, and sent to the Lords. In a short time this bill came back with an important amendment. The Lords had inserted in the list of acts to be continued the act which placed the press under the control of licensers. The Commons resolved not to agree to the amendment, demanded a conference, and appointed a committee of

it; and the Ayes did not think fit to divide.

managers. The leading manager was Edward Clarke, a stanch Whig, who represented Taunton, the stronghold, during fifty troubled years, of civil and religious freedom.

Clarke delivered to the Lords in the Painted Chamber a paper containing the reasons which had determined the Lower House not to renew the Licensing This paper completely vindicates the resolution to which the Commons had come. But it proves at the same time that they knew not what they were doing, what a revolution they were making, what a power they were calling into existence. They pointed out concisely, clearly, forcibly, and sometimes with a grave irony which is not unbecoming, the absurdities and iniquities of the statute which was about to expire. all their objections will be found to relate to matters of detail. On the great question of principle, on the question whether the liberty of unlicensed printing be, on the whole, a blessing or a curse to society, not a word is said. The Licensing Act is condemned, not as a thing essentially evil, but on account of the petty grievances, the exactions, the jobs, the commercial restrictions, the domiciliary visits, which were incidental to it. It is pronounced mischievous because it enables the Company of Stationers to extort money from publishers; because it empowers the agents of the government to search houses under the authority of general warrants; because it confines the foreign book trade to the port of London; because it detains valuable packages of books at the Custom-house till the pages are The Commons complain that the amount of the fee which the licenser may demand is not fixed. They complain that it is made penal in an officer of the The Painted Chamber—Westminster Palace.

Redrawn from a sketch by R. W. Billings.







Customs to open a box of books from abroad, except in the presence of one of the censors of the press. How, it is very sensibly asked, is the officer to know that there are books in the box till he has opened it? Such were the arguments which did what Milton's Areopagitica had failed to do.<sup>1</sup>

The Lords yielded without a contest. They probably expected that some less objectionable bill for the regulation of the press would soon be sent up to them; and, in fact, such a bill was brought into the House of Commons, read twice, and referred to a select committee. But the session closed before the committee had reported; and English literature was emancipated, and emancipated forever, from the control of the government.<sup>2</sup>

This great event passed almost unnoticed. Evelyn and Luttrell did not think it worth mentioning in their diaries. The Dutch minister did not think it worth

¹ In the *Craftsman* of November 20, 1731, it is said that Locke drew up the paper in which the Commons gave their reason for refusing to renew the Licensing Act. If this were so, it must be remembered that Locke wrote, not in his own name, but in the name of a multitude of plain country gentlemen and merchants, to whom his opinions touching the liberty of the press would probably have seemed strange and dangerous. We must suppose, therefore, that, with his usual prudence, he refrained from giving an exposition of his own views, and contented himself with putting into a neat and perspicuous form arguments suited to the capacity of the parliamentary majority.

<sup>2</sup> See the *Commons' Journals* of Feb. 11, April 12, and April 17, and the *Lords' Journals* of April 8, and April 18, 1695. Unfortunately there is a hiatus in the *Commons' Journals* of the 12th of April, so that it is now impossible to discover whether there was a division on the amendment made by the Lords.

mentioning in his despatches. No allusion to it is to be found in the Monthly Mercuries. The public attention was occupied by other and far more exciting subjects.

One of those subjects was the death of the most accomplished, the most enlightened, and, in spite of great faults, the most estimable of the statesmen who were formed in the corrupt and licentious Whitehall of the Restoration. About a month after the splendid obsequies of Mary, a funeral procession of almost ostentatious simplicity passed round the shrine of Edward the Confessor to the Chapel of Henry the Seventh. There, at the distance of a few feet from her coffin, lies the coffin of George Savile, Marquess of Halifax.

Halifax and Nottingham had long been friends: and Lord Eland, now Halifax's only son, had been affianced to the Lady Mary Finch, Nottingham's daughter. The day of the nuptials was fixed: a joyous company assembled at Burley on the Hill, the mansion of the bride's father, which, from one of the noblest terraces in the island, looks down on magnificent woods of beech and oak, on the rich valley of Catmos, and on the spire of Oakham. The father of the bridegroom was detained in London by indisposition, which was not supposed to be dangerous. On a sudden his malady took an alarming form. He was told that he had but a few hours to live. He received the intimation with tranquil fortitude. It was proposed to send off an express to summon his son to town. But Halifax, goodnatured to the last, would not disturb the felicity of the wedding-day. He gave strict orders that his interment should be private, prepared himself for the great change by devotions which astonished those who had called him an atheist, and died with the serenity of a philosopher and of a Christian, while his friends and kindred. not suspecting his danger, were tasting the sack posset and drawing the curtain. His legitimate male posterity and his titles soon became extinct. No small portion, however, of his wit and eloquence descended to his daughter's son, Philip Stanhope, fourth Earl of Chesterfield. But it is, perhaps, not generally known that some adventurers, who, without advantages of fortune or position, made themselves conspicuous by the mere force of ability, inherited the blood of Halifax. He left a natural son, Henry Carey, whose dramas once drew crowded audiences to the theatres, and some of whose gay and spirited verses still live in the memory of hundreds of thousands. From Henry Carey descended that Edmund Kean who, in our own time, transformed himself so marvellously into Shylock, Iago, and Othello.

More than one historian has been charged with partiality to Halifax. The truth is that the memory of Halifax is entitled in an especial manner to the protection of history. For what distinguishes him from all other English statesmen is this, that, through a long public life, and through frequent and violent revolutions of public feeling, he almost invariably took that view of the great questions of his time which history has finally adopted. He was called inconstant, because the relative position in which he stood to the contending factions was perpetually varying. As well might the polestar be called inconstant because it is

 $<sup>^{1}</sup>$ L'Hermitage, April  $\frac{10}{20}$ , 1695; Evelyn's Diary; Burnet, ii., 149.

sometimes to the east and sometimes to the west of the To have defended the ancient and legal constitution of the realm against a seditious populace at one conjuncture, and against a tyrannical government at another; to have been the foremost champion of order in the turbulent Parliament of 1680, and the foremost champion of liberty in the servile Parliament of 1685; to have been just and merciful to Roman Catholics in the days of the Popish plot, and to Exclusionists in the days of the Rye-house Plot; to have done all in his power to save both the head of Stafford and the head of Russell; this was a course which contemporaries, heated by passion, and deluded by names and badges, might not unnaturally call fickle, but which deserves a very different name from the late justice of posterity.

There is one, and only one, deep stain on the memory of this eminent man. It is melancholy to think that he, who had acted so great a part in the Convention, could have afterward stooped to hold communication with Saint Germains. The fact cannot be disputed: vet for him there are excuses which cannot be pleaded for others who were guilty of the same crime. He did not, like Marlborough, Russell, and Godolphin, betray a master by whom he was trusted, and with whose benefits he was loaded. It was by the ingratitude and malice of the Whigs that he was driven to take shelter for a moment among the Jacobites. It may be added that he soon repented of the error into which he had been hurried by passion; that, though never reconciled to the court, he distinguished himself by his zeal for the vigorous prosecution of the war: and that his last work was a tract in which he exhorted his countrymen to remember that the public burdens, heavy as they might seem, were light when compared with the yoke of France and of Rome.<sup>1</sup>

About a fortnight after the death of Halifax, a fate far more cruel than death befell his old rival and enemy, the Lord President. That able, ambitious, and daring statesman was again hurled down from power. In his first fall, terrible as it was, there had been something of dignity; and he had, by availing himself with rare skill of an extraordinary crisis in public affairs, risen once more to the most elevated position among English subjects. The second ruin was, indeed, less violent than the first: but it was ignominious and irretrievable.

The peculation and venality by which the official men of that age were in the habit of enriching them-

Parliamentary inquiries into the corruption of the public offices. selves had excited in the public mind a feeling such as could not but vent itself, sooner or later, in some formidable explosion. But the gains were immediate: the day of retribution was uncertain; and the plunderers of the public were as greedy and

as audacious as ever, when the vengeance, long threatened and long delayed, suddenly overtook the proudest and most powerful among them.

The first mutterings of the coming storm did not at all indicate the direction which it would take, or the fury with which it would burst. An infantry regiment, which was quartered at Royston, had levied contributions on the people of that town and of the neighborhood. The sum exacted was not large. In

<sup>1</sup> An Essay upon Taxes, calculated for the Present Juncture of Affairs, 1693.

France or Brabant the moderation of the demand would have been thought wonderful. But to English shopkeepers and farmers military extortion was happily quite new and quite insupportable. A petition was sent up to the Commons. The Commons summoned the accusers and the accused to the bar. It soon appeared that a grave offence had been committed, but that the offenders were not altogether without excuse. The public money which had been issued from the Exchequer for their pay and subsistence had been fraudulently detained by their colonel and by his agent. was not strange that men who had arms, and who had not necessaries, should trouble themselves little about the Petition of Right and the Declaration of Right. But it was monstrous that, while the citizen was heavily taxed for the purpose of paying to the soldier the largest military stipend known in Europe, the soldier should be driven by absolute want to plunder the citizen. This was strongly set forth in a representation which the Commons laid before William. William, who had been long struggling against abuses which grievously impaired the efficiency of his army, was glad to have his hands thus strengthened. He promised ample redress, cashiered the offending colonel, gave strict orders that the troops should receive their due regularly, and established a military board for the purpose of detecting and punishing such malpractices as had taken place at Royston.1

<sup>&</sup>lt;sup>1</sup> Commons' Journals, Jan. 12, Feb. 26, Mar. 6; A Collection of the Debates and Proceedings in Parliament in 1694 and 1695 upon the Inquiry into the Late Briberies and Corrupt Practices, 1695; L'Hermitage to the States-general, March  $\frac{1}{18}$ ; Van Citters, March  $\frac{1}{25}$ ; L'Hermitage says: "Si par cette recherche

But the whole administration was in such a state that it was hardly possible to track one offender without discovering ten others. In the course of the inquiry into the conduct of the troops at Royston, it was discovered that a bribe of two hundred guineas had been received by Henry Guy, member of Parliament for Heydon and Secretary of the Treasury. Guy was instantly sent to the Tower, not without much exultation on the part of the Whigs: for he was one of those tools who had passed, together with the buildings and furniture of the public offices, from James to William: he affected the character of a High-Churchman; and he was known to be closely connected with some of the heads of the Tory party, and especially with Trevor.

Another name, which was afterward but too widely celebrated, first became known to the public at this time. James Craggs had begun life as a barber. He had been a footman. His abilities, eminently vigorous, though not improved by education, had raised him in the world; and he was now entering on a career which was destined to end, after many years of prosperity, in unutterable misery and despair. He had become an army clothier. He was examined as to his dealings with the colonels of regiments; and, as he obstinately refused to produce his books, he was sent to keep Guy company in the Tower.<sup>2</sup>

la chambre pouvoit remédier au désordre qui règne, elle rendroit un service très utile et très agréable au Roy."

<sup>1</sup> Commons' Journals, Feb. 16, 1695; Collection of the Debates and Proceedings in Parliament in 1694 and 1695; Life of Wharton; Burnet, ii., 144.

<sup>2</sup> Speaker Onslow's note on Burnet, ii., 583; Commons' Journals, Mar. 6, 7, 1695. The history of the terrible end of this man will be found in the pamphlets of the South Sea year.

A few hours after Craggs had been thrown into prison, a committee which had been appointed to inquire into the truth of a petition signed by some of the hackney-coachmen of London, laid on the table of the House a report which excited universal disgust and indignation. It appeared that these poor hard-working men had been cruelly wronged by the board under the authority of which an act of the preceding session had placed them. They had been pillaged and insulted, not only by the commissioners, but by one commissioner's lackey and by another commissioner's harlot. The Commons addressed the King; and the King turned the delinquents out of their places.'

But by this time delinquents far higher in power and rank were beginning to be uneasy. At every new detection, the excitement, both within and without the walls of Parliament, became more intense. The frightful prevalence of bribery, corruption, and extortion was everywhere the subject of conversation. A contemporary pamphleteer compares the state of the political world at this conjuncture to the state of a city in which the plague has just been discovered, and in which the terrible words, "Lord have mercy on us," are already seen on some doors.2 Whispers, which at another time would have speedily died away and been forgotten, now swelled, first into murmurs, and then into clamors. A rumor rose and spread that the funds of the two wealthiest corporations in the kingdom, the City of London and the East India Company, had been

<sup>&</sup>lt;sup>1</sup> Commons' Journals, March 8, 1695; Exact Collection of Debates and Proceedings in Parliament in 1694 and 1695; L'Hermitage, March  $\frac{8}{18}$ .

<sup>&</sup>lt;sup>2</sup> Exact Collection of Debates.

largely employed for the purpose of corrupting great men; and the names of Trevor, Seymour, and Leeds were mentioned.

The mention of these names produced a stir in the Whig ranks. Trevor, Seymour, and Leeds, were all three Tories, and had, in different ways, greater influence than perhaps any other three Tories in the kingdom. If they could all be driven at once from public life with blasted characters, the Whigs would be completely predominant both in the Parliament and in the Cabinet.

Wharton was not the man to let such an opportunity escape him. At White's, no doubt, among those lads of quality who were his pupils in politics and in debauchery, he would have laughed heartily at the fury with which the nation had on a sudden begun to persecute men for doing what everybody had always done and was always trying to do. But, if people would be fools, it was the business of a statesman to make use of their folly. The cant of political purity was not so familiar to the lips of Wharton as blasphemy and ribaldry; but his abilities were so versatile, and his impudence so consummate, that he ventured to appear before the world as an austere patriot mourning over the venality and perfidy of a degenerate age. he, animated by that fierce party-spirit, which in honest men would be thought a vice, but which in him was almost a virtue, was eagerly stirring up his friends to demand an inquiry into the truth of the evil reports which were in circulation, the subject was suddenly and strangely forced forward. It chanced that, while a bill of little interest was under discussion in the Commons, the postman arrived with numerous letters directed to

members; and the distribution took place at the bar with a buzz of conversation which drowned the voices of the orators. Seymour, whose imperious temper always prompted him to dictate and to chide, lectured the talkers on the scandalous irregularity of their conduct, and called on the Speaker to reprimand them. An angry discussion followed; and one of the offenders was provoked into making an allusion to the stories which were current about both Seymour and the Speaker. "It is undoubtedly improper to talk while a bill is under discussion: but it is much worse to take money for getting a bill passed. If we are extreme to mark a slight breach of form, how severely ought we to deal with that corruption which is eating away the very substance of our institutions!" That was enough: the spark had fallen: the train was ready: the explosion was immediate and terrible. tumultuous debate, in which the cry of "the Tower" was repeatedly heard, Wharton managed to carry his point. Before the House rose a committee was appointed to examine the books of the City of London and of the East India Company.1

Foley was placed in the chair of the committee. Within a week he reported that the Speaker, Sir John vote of central Trevor, had, in the preceding session, resure on the ceived from the City a thousand guineas for expediting a local bill. This discovery gave great satisfaction to the Whigs, who had always hated

<sup>&</sup>lt;sup>1</sup> Life of Wharton, 1715; L'Hermitage, March  $\frac{8}{18}$ , 1695. L'Hermitage's narrative is confirmed by the *Journals*, March 7, 169 $\frac{4}{5}$ , from which it appears that, just before the committee was appointed, the House resolved that letters should not be delivered out to members during a sitting.

Trevor, and was not unpleasing to many of the Tories. During six busy sessions his sordid rapacity had made him an object of general aversion. The legitimate emoluments of his post amounted to about four thousand a year: but it was believed that he had pocketed at least ten thousand a year. His profligacy and insolence united had been too much even for the angelic temper of Tillotson. It was said that the gentle Archbishop had been heard to mutter something about a knave as the Speaker passed by him. Yet, great as were the offences of this bad man, his punishment was fully proportioned to them. As soon as the report of the committee had been read, it was moved that he had been guilty of a high crime and misdemeanor. He had to stand up and to put the question. There was a loud cry of Aye. He called on the Noes; and scarcely a voice was heard. He was forced to declare that the Aves had it. A man of spirit would have given up the ghost with remorse and shame: and the unutterable ignominy of that moment left its mark even on the callous heart and brazen forehead of Trevor. he returned to the House on the following day, he would have had to put the question on a motion for his own expulsion. He therefore pleaded illness, and shut himself up in his bedroom. Wharton soon brought down a royal message authorizing the Commons to elect another Speaker.

The Whig chiefs wished to place Sir Thomas Littleton in the chair: but they were unable to accomplish their object. Foley was chosen, presented, and approved. Though he had of late generally voted with the Tories, he still called

<sup>&</sup>lt;sup>1</sup> L'Hermitage, March <sup>19</sup>/<sub>29</sub>, 1695. <sup>2</sup> Birch's Life of Tillotson.

himself a Whig, and was not unacceptable to many of the Whigs. He had both the abilities and the knowledge which were necessary to enable him to preside over the debates with dignity; but what, in the peculiar circumstances in which the House then found itself placed, was not unnaturally considered as his principal recommendation, was that implacable hatred of jobbery and corruption which he somewhat ostentatiously professed, and doubtless sincerely felt. On the day after he entered on his functions, his predecessor was expelled.<sup>1</sup>

The indiscretion of Trevor had been equal to his baseness; and his guilt had been apparent on the first

Inquiry into the accounts of the East India Company. inspection of the accounts of the City. The accounts of the East India Company were more obscure. The committee reported that they had sat in Leadenhall Street, had examined documents, had interrogated direc-

tors and clerks, but had been unable to arrive at the bottom of the mystery of iniquity. Some most suspicious entries had been discovered, under the head of special service. The expenditure on this account had, in the year 1693, exceeded eighty thousand pounds. It was proved that, as to the outlay of this money, the directors had placed implicit confidence in the governor, Sir Thomas Cook. He had merely told them in general terms that he had been at a charge of twenty-three thousand, of twenty-five thousand, of thirty thousand pounds, in the matter of the Charter; and his colleagues had, without calling on him for any detailed explanation, thanked him for his care, and ordered warrants for these great sums to be instantly made out.

<sup>&</sup>lt;sup>1</sup> Commons' Journals, March 12, 13, 14, 15, 16, 169 $\frac{4}{5}$ ; Vernon to Lexington, March 15; L'Hermitage, March  $\frac{15}{25}$ .

It appeared that a few mutinous directors had murmured at this immense outlay, and had called for a detailed statement. But the only answer which they had been able to extract from Cook was that there were some great persons whom it was necessary to gratify.

The committee also reported that they had lighted on an agreement by which the Company had covenanted to furnish a person named Colston Suspicious with two hundred tons of saltpetre. At the dealings of Seymour. first glauce, this transaction seemed merchant-like and fair. But it was soon discovered that Colston was merely an agent for Seymour. Suspicion The complicated terms of the bargain was excited. were severely examined, and were found to be framed in such a manner that, in every possible event, Seymour must be a gainer and the Company a loser to the extent of ten or twelve thousand pounds. The opinion of all who understood the matter was that the contract was merely a disguise intended to cover a bribe. the disguise was so skilfully managed that the country gentlemen were perplexed, and that even the lawyers doubted whether there were such evidence of corruption as would be held sufficient by a court of justice. mour escaped without a vote of censure, and still continued to take a leading part in the debates of the Commons. But the authority which he had long ex-

¹ On vit qu'il étoit impossible de le poursuivre en justice, chacun toutefois démeurant convaincu que c'étoit un marché fait à la main pour lui faire présent de la somme de 10,000l., et qu'il avoit été plus habile que les autres novices que n'avoient pas su faire si finement leurs affaires.—L'Hermitage, March 20. Commons' Journals, March 12; Vernon to Lexington, April 26; Burnet ii., 145.

ercised in the House and in the western counties of England, though not destroyed, was visibly diminished; and, to the end of his life, his traffic in saltpetre was a favorite theme of Whig pamphleteers and poets.<sup>1</sup>

The escape of Seymour only inflamed the ardor of Wharton and of Wharton's confederates. They were determined to discover what had been done Bill against with the eighty or ninety thousand pounds Sir Thomas Cook. of secret-service money which had been entrusted to Cook by the East India Company. who was member for Colchester, was questioned in his place: he refused to answer: he was sent to the Tower: and a bill was brought in providing that if, before a certain day, he should not acknowledge the whole truth, he should be incapable of ever holding any office, should refund to the Company the whole of the immense sum which had been confided to him, and should pay a fine of twenty thousand pounds to the crown. Rich as he was, these penalties would have reduced him to penury. The Commons were in such a temper that they passed the bill without a single division.<sup>2</sup> Seymour, indeed, though his saltpetre contract was the talk of the whole town, came forward with unabashed forehead to plead for his accomplice: but his effrontery only injured the cause which he defended.3

In another satire is the line

<sup>&</sup>lt;sup>1</sup> In a poem called the *Prophecy* (1703), is the line

<sup>&</sup>quot;When Seymour scorns saltpetre pence."

<sup>&</sup>quot;Bribed Seymour bribes accuses."

<sup>&</sup>lt;sup>2</sup> Commons' Journals from March 26 to April 8, 1695.

<sup>&</sup>lt;sup>3</sup> L'Hermitage, April <sup>10</sup>/<sub>20</sub>, 1695.

In the Upper House the bill was condemned in the strongest terms by the Duke of Leeds. Pressing his hand on his heart, he declared, on his faith, on his honor, that he had no personal interest in the question. and that he was actuated by no motive but a pure love of justice. His eloquence was powerfully seconded by the tears and lamentations of Cook, who, from the bar, implored the Peers not to subject him to a species of torture unknown to the mild laws of England. stead of this cruel bill," he said, "pass a bill of indemnity; and I will tell you all." The Lords thought his request not altogether unreasonable. After some communication with the Commons, it was determined that a joint committee of the two Houses should be appointed to inquire into the manner in which the secret-service money of the East India Company had been expended; and an act was rapidly passed providing that, if Cook would make to this committee a true and full discovery, he should be indemnified for the crimes which he might confess, and that, till he made such a discovery, he should remain in the Tower. To this arrangement Leeds gave in public all the opposition that he could with decency give. In private those who were conscious of guilt employed numerous artifices for the purpose of averting inquiry. It was whispered that things might come out which every good Englishman would wish to hide, and that the greater part of the enormous sums which had passed through Cook's hands had been paid to Portland for His Majesty's use. But the Parliament and the nation were determined to know the truth, whoever might suffer by the disclosure.1

<sup>&</sup>lt;sup>1</sup> Exact Collection of Debates and Proceedings.

As soon as the Bill of Indemnity had received the royal assent, the joint committee, consisting of twelve lords and twenty-four members of the House of Commons, met in the Excharge and Commons.

Commons.

Commons.

coveries were made.

The King and Portland came out of the inquiry with unblemished honor. Not only had not the King taken any part of the secret-service money dispensed by Cook; but he had not, during some years, received even the ordinary present which the Company had, in former reigns, laid annually at the foot of the throne. It appeared that not less that fifty thousand pounds had been offered to Portland, and rejected. money lay, during a whole year ready to be paid to him if he should change his mind. He at length told those who pressed this immense bribe on him that, if they persisted in insulting him by such an offer, they would make him an enemy of their Company. people wondered at the probity which he showed on this occasion, for he was generally thought interested and grasping. The truth seems to be that he loved money, but that he was a man of strict integrity and honor. He took, without scruple, whatever he thought that he could honestly take, but was incapable of stooping to an act of baseness. Indeed, he resented as affronts the compliments which were paid him on this occasion.1 The integrity of Nottingham could excite no surprise. Ten thousand pounds had been offered to him, and had been refused. The number of cases in

<sup>&</sup>lt;sup>1</sup> L'Hermitage, April 30, 1695; Portland to Lexington, April 23, May 30.

which bribery was fully made out was small. A large part of the sum which Cook had drawn from the Company's treasury had probably been embezzled by the brokers whom he had employed in the work of corruption; and what had become of the rest it was not easy to learn from the reluctant witnesses who were brought before the committee. One glimpse of light, however, was caught: it was followed; and it led to a discovery of the highest moment. A large sum was traced from Cook to an agent named Firebrace, and from Firebrace to another agent named Bates, who was well known to be closely connected with the High-Church party, and especially with Leeds. Bates was summoned; but he absconded: messengers were sent in pursuit of him: he was caught, brought into the Exchequer Chamber and sworn. The story which he told showed that he was distracted between the fear of losing his ears and the fear of injuring his patron. He owned that he had undertaken to bribe Leeds, had been for that purpose furnished with five thousand five hundred guineas. which were then worth at least eight thousand pounds, had offered those guineas to His Grace, and had, by His Grace's permission, left them long at His Grace's house in the care of a Swiss named Robart, who was his Grace's confidential man of business. It should seem that these facts admitted of only one interpreta-Bates, however, swore that the Duke had refused to accept a farthing. "Why, then," it was asked, "was the gold left, by his permission, at his house and in the hands of his servant?" "Because," answered Bates, "I am bad at telling coin. I therefore begged His Grace to let me leave the pieces, in order that Robart might count them for me; and His Grace was

so good as to consent." It was evident that, if this strange story had been true, the guineas would, in a few hours, have been taken away. But Bates was forced to confess that they had remained half a year where he had left them. The money had, indeed, at last—and this was one of the most suspicious circumstances in the case—been paid back by Robart on the very morning on which the committee first met in the Exchequer Chamber. Who could believe that, if the transaction had been free from all taint of corruption, the money would have been detained as long as Cook was able to remain silent, and would have been refunded on the very first day on which he was under the necessity of speaking out?

A few hours after the examination of Bates, Wharton reported to the Commons what had passed in the Exchequer Chamber. The indignation was Impeachment general and vehement. "You now underof Leeds. stand," said Wharton, "why obstructions have been thrown in our way at every step, why we have had to wring out truth drop by drop, why His Majesty's name has been artfully used to prevent us from going into an inquiry which has brought nothing to light but what is to His Majesty's honor. Can we think it strange that our difficulties should have been great, when we consider the power, the dexterity, the experience of him who was secretly thwarting us? It is time for us to prove signally to the world that it is impossible for any criminal to double so cunningly that

 $<sup>^{1}</sup>$  L'Hermitage ( $^{\text{April 30,}}_{\text{May 10,}}$  1695) justly remarks, that the way in which the money was sent back strengthened the case against Leeds.

we cannot track him, or to climb so high that we cannot reach him. Never was there a more flagitious instance of corruption. Never was there an offender who had less claim to indulgence. The obligations which the Duke of Leeds has to his country are of no common One great debt we generously cancelled: but the manner in which our generosity has been requited forces us to remember that he was long ago impeached for receiving money from France. How can we be safe while a man proved to be venal has access to the royal ear? Our best laid enterprises have been defeated. Our inmost counsels have been betrayed. And what wonder is it? Can we doubt that, together with this home trade in charters, a profitable foreign trade in secrets is carried on? Can we doubt that he who sells us to one another will, for a good price, sell us all to the common enemy?" Wharton concluded by moving that Leeds should be impeached of high crimes and misdemeanors.1

Leeds had many friends and dependents in the House of Commons: but they could say little. Wharton's motion was carried without a division; and he was ordered to go to the bar of the Lords, and there, in the name of the Commons of England, to impeach the Duke. But, before this order could be obeyed, it was announced that His Grace was at the door and requested an audience.

While Wharton had been making his report to the Commons, Leeds had been haranguing the Lords. He denied with the most solemn asseverations that he had taken any money for himself. But he acknowledged,

<sup>1</sup> There can, I think, be no doubt that the member who is called D in the *Exact Collection* was Wharton.

and indeed almost boasted, that he had abetted Bates in getting money from the Company, and seemed to think that this was a service which any man in power might be reasonably expected to render to a friend. Too many persons, indeed, in that age, made a most absurd and pernicious distinction between a minister who used his influence to obtain presents for himself and a minister who used his influence to obtain presents for his dependents. The former was corrupt: the latter was merely good-natured. Leeds proceeded to tell, with great complacency, a story about himself, which would, in our days, drive a public man, not only out of office, but out of the society of gentlemen. "When I was Treasurer, in King Charles's time, my Lords, the excise was to be farmed. There were several bidders. Harry Savile, for whom I had a great value, informed me that they had asked for his interest with me, and begged me to tell them that he had done his best for them. 'What!' said I: 'tell them all so, when only one can have the farm?' 'No matter,' said Harry: 'tell them all so; and the one who gets the farm will think that he owes it to me.' The gentlemen came. I said to every one of them separately, 'Sir, you are much obliged to Mr. Savile: 'Sir, Mr. Savile has been much your friend.' In the end Harry got a handsome present; and I wished him good luck with it. I was his shadow then. I am Mr. Bates's shadow now."

The Duke had hardly related this anecdote, so strikingly illustrative of the state of political morality in that generation, when it was whispered to him that a motion to impeach him had been made in the House of Commons. He hastened thither: but, before he

arrived, the question had been put and carried. Nevertheless he pressed for admittance; and he was admitted. A chair, according to ancient usage, was placed for him within the bar; and he was informed that the House was ready to hear him.

He spoke, but with less tact and judgment than usual. He magnified his own public services. for him, he said, there would have been no House of Commons to impeach him: a boast so extravagant that it naturally made his hearers unwilling to allow him the praise which his conduct at the time of the Revolution really deserved. As to the charge against him, he said little more than that he was innocent. that there had long been a malicious design to ruin him, that he would not go into particulars, that the facts which had been proved would bear two constructions, and that of the two constructions the more favorable ought in candor to be adopted. He withdrew, after praying the House to reconsider the vote which had just been passed, or, if that could not be, to let him have speedy justice.

His friends felt that his speech was no defence: they therefore did not attempt to rescind the resolution which had been carried just before he was heard. Wharton, with a large following, went up to the Lords, and informed them that the Commons had resolved to impeach the Duke. A committee of managers was appointed to draw up the articles and to prepare the evidence.'

The articles were speedily drawn: but to the chain of evidence one link appeared to be wanting. That

<sup>&</sup>lt;sup>1</sup> As to the proceedings of this eventful day, April 27, 1695, see the *Journals* of the two Houses, and the *Exact Collection*.

link Robart, if he had been severely examined and confronted with other witnesses, would in all probability have been forced to supply. He was summoned to the bar of the Commons. A messenger went with the summons to the house of the Duke of Leeds, and was there informed that the Swiss was not within, that he had been three days absent, and that where he was the porter could not tell. The Lords immediately presented an address to the King, requesting him to give orders that the ports might be stopped and the fugitive arrested. But Robart was already in Holland on his way to his native mountains.

The flight of this man made it impossible for the Commons to proceed. They vehemently accused Leeds of having sent away the witness who alone could furnish legal proof of that which was already established by moral proof. Leeds, now at ease as to the event of the impeachment, gave himself the airs of an injured man. "My Lords," he said, "the conduct of the Commons is without precedent. They impeach me of a high crime: they promise to prove it: then they find that they have not the means of proving it; and they revile me for not supplying them with the means. Surely they ought not to have brought a charge like this without well considering whether they had or had not evidence sufficient to support it. If Robart's testimony be, as they now say, indispensable, why did they not send for him and hear his story before they made up their minds? They may thank their own intemperance, their own precipitancy, for his disappearance. He is a foreigner: he is timid: he hears that a transaction in which he has been concerned has been pronounced by the House of Commons to be highly criminal, that his master is impeached, that his friend Bates is in prison, that his own turn is coming. He naturally takes fright: he escapes to his own country; and, from what I know of him, I will venture to predict that it will be long before he trusts himself again within reach of the Speaker's warrant. But what is that to me? Am I to lie all my life under the stigma of an accusation like this, merely because the violence of my accusers has scared their own witness out of England? I demand an immediate trial. I move your Lordships to resolve that, unless the Commons shall proceed before the end of the session, the impeachment shall be dismissed." A few friendly voices cried out. "Well moved." But the Peers were generally unwilling to take a step which would have been in the highest degree offensive to the Lower House, and to the great body of those whom that House represented. The Duke's motion fell to the ground; and a few hours later the Parliament was prorogued.1

The impeachment was never revived. The evidence which would warrant a formal verdict of guilty was not forthcoming; and a formal verdict of guilty Disgrace would hardly have answered Wharton's of Leeds. purpose better than the informal verdict of guilty which the whole nation had already pro-The work was done. The Whigs were nonneed. dominant. Leeds was no longer chief minister, was, indeed, no longer a minister at all. William, from respect probably for the memory of the beloved wife whom he had lately lost, and to whom Leeds had

<sup>&</sup>lt;sup>1</sup> Exact Collection; Lords' Journals, May 3, 1695; Commons' Journals, May 2, 3; L'Hermitage, May  $\frac{8}{13}$ ; London Gazette, May 13.

shown peculiar attachment, avoided everything that could look like harshness. The fallen statesman was suffered to retain during a considerable time the title of Lord President, and to walk on public occasions between the Great Seal and the Privy Seal. But he was told that he would do well not to show himself at Council: the business and the patronage even of the department of which he was the nominal head passed into other hands; and the place which he ostensibly filled was considered in political circles as really vacant.

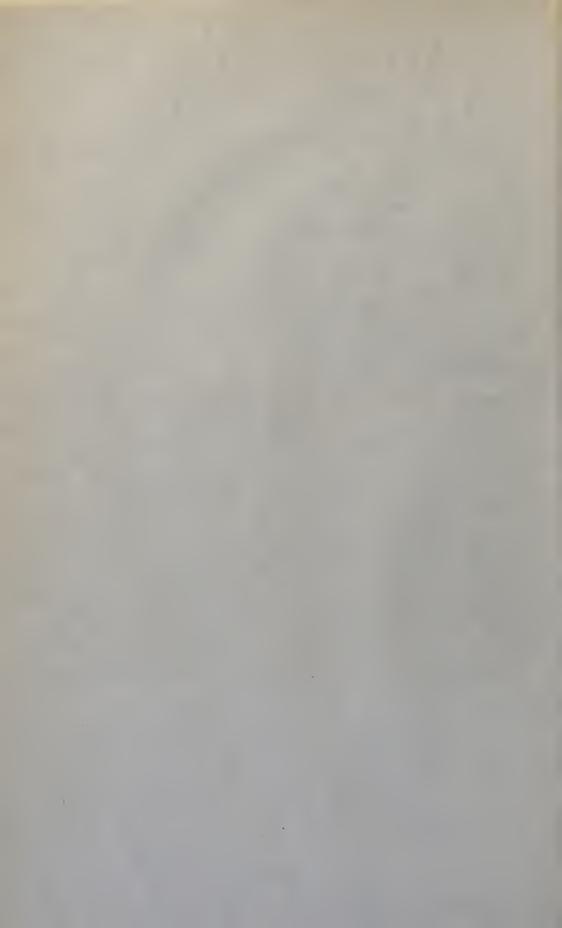
He hastened into the country, and hid himself there, during some months, from the public eye. When the Parliament met again, however, he emerged from his retreat. Though he was well stricken in years and cruelly tortured by disease, his ambition was still as ardent as ever. With indefatigable energy he began a third time to climb, as he flattered himself, toward that dizzy pinnacle which he had twice reached, and from which he had twice fallen. He took a prominent part in debate: but, though his eloquence and knowledge always secured to him the attention of his hearers, he was never again, even when the Tory party was in power, admitted to the smallest share in the direction of affairs.

There was one great humiliation which he could not be spared. William was about to take the command of the army in the Netherlands: and it was necessary that, before he sailed, he should determine by whom the government should be administered during his absence. Hitherto Mary had acted as his vicegerent when he was out of England: but she was gone. He

<sup>&</sup>lt;sup>1</sup> L'Hermitage, May  $\frac{1}{2}\frac{0}{0}$ , 1695; Vernon to Shrewsbury, June 22, 1697.

William Cavendish—First Duke of Devonshire.

From a portrait by Riley.







therefore delegated his authority to seven Lords-justices — Tenison, Archbishop of Canterbury; Somers, Keeper of the Great Seal; Pembroke. Lords-Keeper of the Privy Seal; Devoushire, iustices appointed. Lord Steward; Dorset, Lord Chamberlain; Shrewsbury, Secretary of State; and Godolphin, First Commissioner of the Treasury. It is easy to judge from this list of names which way the balance of power was now leaning. Godolphin alone of the seven was a Tory. The Lord President, still second in rank, and a few days before first in power, of the great lay dignitaries of the realm, was passed over; and the omission was universally regarded as an official announcement of his disgrace.1

There were some who wondered that the Princess of Denmark was not appointed Regent. The reconciliation, which had been begun while Mary tion between was dying, had since her death been, in william and external show at least, completed. the Princess was one of those occasions on which Sunder-Anne. land was peculiarly qualified to be useful. He was admirably fitted to manage personal negotiations, to soften resentment, to soothe wounded pride, to select, among all the objects of human desire, the very bait which was most likely to allure the mind with which he was dealing. On this occasion his task was not difficult. He had two excellent assistants: Marlborough, in the household of Anne, and Somers, in the cabinet of William.

Marlborough was now as desirous to support the government as he had once been to subvert it. The death of Mary had produced a complete change in all London Gazette, May 6, 1695.

his schemes. There was one event to which he looked forward with the most intense longing, the accession of the Princess to the English throne. It was certain that, from the day on which she began to reign, he would be in her court all that Buckingham had been in the court of James the First. Marlborough, too, must have been conscious of powers of a very different order from those which Buckingham had possessed, of a genius for politics not inferior to that of Richelieu, of a genius for war not inferior to that of Turenne. Perhaps the disgraced General, in obscurity and inaction, anticipated the day when his power to help and hurt in Europe would be equal to that of her mightiest princes, when he would be servilely flattered and courted by Cæsar on one side, and by Lewis the Great on the other, and when every year would add another hundred thousand pounds to the largest fortune that had ever been accumulated by any English subject. All this might be, if Mrs. Morley were Queen. that Mr. Freeman should ever see Mrs. Morley Oueen had till lately been not very probable. Mary's life was a much better life than his, and quite as good a life as her sister's. That William would have issue seemed unlikely. But it was generally expected that he would soon die. His widow might marry again, and might leave children who would succeed her. In these circumstances, Marlborough might well think that he had very little interest in maintaining that settlement of the crown which had been made by the Convention. Nothing was so likely to serve his purpose as confusion, civil war, another revolution, another abdication, another vacancy of the throne. Perhaps the nation, incensed against William, yet not reconciled to James.

and distracted between hatred of foreigners and hatred of Jesuits, might prefer to the Dutch King and to the Popish King one who was at once a native of our country and a member of our Church. That this was the real explanation of Marlborough's dark and complicated plots was, as we have seen, firmly believed by some of the most zealous Jacobites, and is in the highest degree probable. It is certain that during several years he had spared no efforts to inflame the army and the nation against the government. But all was now changed. Mary was no more. By the Bill of Rights the crown was entailed on Anne after the death of The death of William could not be far dis-William. tant. Indeed, all the physicians who attended him wondered that he was still alive; and, when the risks of war were added to the risks of disease, the probability seemed to be that in a few months he would be in his grave. Marlborough saw that it would now be madness to throw everything into disorder and to put everything to hazard. He had done his best to shake the throne, while it seemed unlikely that Anne would ever mount it except by violent means. But he did his best to fix it firmly, as soon as it became highly probable that she would soon be called to fill it in the regular course of nature and of law.

The Princess was easily induced by the Churchills to write to the King a submissive and affectionate letter of condolence. The King, who was never much inclined to engage in a commerce of insincere compliments, and who was still in the first agonies of his grief, showed little disposition to meet her advances. But Somers, who felt that everything was at stake, went to Kensington, and made his way into the royal vol. ix.—3.

closet. William was sitting there, so deeply sunk in melancholy that he did not seem to perceive that any person had entered the room. The Lord Keeper, after a respectful pause, broke silence, and, doubtless with all that cautious delicacy which was characteristic of him, and which eminently qualified him to touch the sore places of the mind without hurting them, implored His Majesty to be reconciled to the Princess. "Do what you will," said William: "I can think of no business." Thus authorized, the mediators speedily concluded a treaty.1 Anne came to Kensington, and was graciously received: she was lodged in St. James's Palace: a guard of honor was again placed at her door; and the Gazettes again, after a long interval, announced that foreign ministers had had the honor of being presented to her.2 The Churchills were again permitted to dwell under the royal roof. But William did not at first include them in the peace which he had made with their mistress. Marlborough remained excluded from military and political employment; and it was not without much difficulty that he was admitted into the circle at Kensington, and permitted to kiss the royal hand.8 The feeling with which he was regarded by the King explains why Anne was not appointed Regent. The Regency of Anne would have been the Regency of Marlborough; and it is not strange that a man whom it was not thought safe to intrust with any

<sup>&</sup>lt;sup>1</sup> Letter from Mrs. Burnet to the Duchess of Marlborough, 1704, quoted by Coxe; Shrewsbury to Russell, January 24, 1695; Burnet ii., 149.

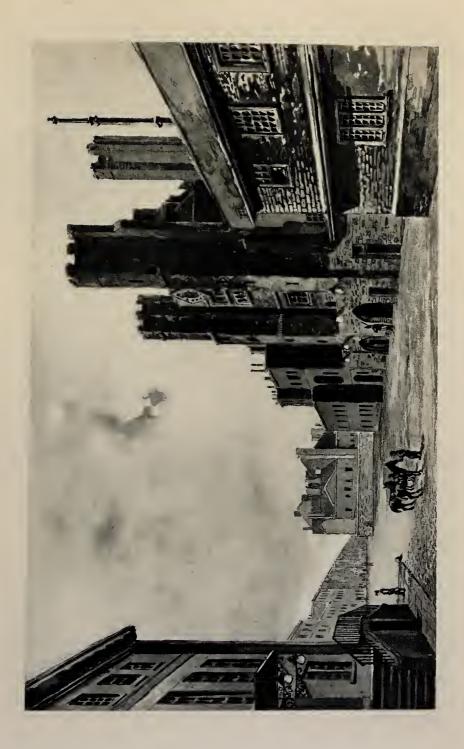
<sup>&</sup>lt;sup>2</sup> London Gazette, April 8, 15, 29, 1695.

<sup>&</sup>lt;sup>3</sup> Shrewsbury to Russell, January 24, 1695; Narcissus Luttrell's *Diary*.

The Gateway to St. James's Palace, 1776.

Redrawn from an old print.







office in the State or in the army should not have been intrusted with the whole government of the kingdom.

Had Marlborough been of a proud and vindictive nature, he might have been provoked into raising another quarrel in the royal family, and into forming new cabals in the army. But all his passions, except ambition and avarice, were under strict regulations. He was destitute alike of the sentiment of gratitude and of the sentiment of revenge. He had conspired against the government while it was loading him with He now supported it, though it requited his support with contumely. He perfectly understood his own interest: he had perfect command of his temper: he endured decorously the hardships of his present situation, and contented himself by looking forward to a reversion which would amply repay him for a few years of patience. He did not, indeed, immediately cease to correspond with the Court of Saint Germains: but the correspondence gradually became more and more slack, and seems, on his part, to have been made up of vague professions and trifling excuses.

The event which had changed all Marlborough's views had filled the minds of fiercer and more pertinacious politicians with wild hopes and atrocious projects.

During the two years and a half which followed the execution of Grandval, no serious design had been Jacobite plots formed against the life of William. Some against Wil- hot-headed malcontents indeed laid schemes liam's person. for kidnapping or murdering him: but those schemes were not, while his wife lived, countenanced by her father. James did not feel, and, to do him justice, was not such a hypocrite as to pretend to feel,

any scruple about removing his enemies by those means which he had justly thought base and wicked when employed by his enemies against himself. If any such scruple had arisen in his mind, there was no want, under his roof, of casuists willing and competent to soothe his conscience with sophisms such as had corrupted the far nobler natures of Anthony Babington and Everard Digby. To question the lawfulness of assassination, in cases where assassination might promote the interests of the Church, was to question the authority of the most illustrious Jesuits, of Bellarmine and Suarez, of Molina and Mariana: nay, it was to rebel against the Chair of Saint Peter. One Pope had walked in procession at the head of his cardinals, had proclaimed a jubilee, had ordered the guns of Saint Angelo to be fired, in honor of the perfidious butchery in which Coligni had perished. Another Pope had, in a solemn allocution, applied to the murder of Henry the Third of France rapturous language borrowed from the ode of the prophet Habakkuk, and had extolled the murderer above Eleazar and Judith.1 William was regarded at Saint Germains as a monster compared with whom Coligni and Henry the Third were saints. Nevertheless James, during some years, refused to sauction any attempt on his nephew's person. reasons which he assigned for his refusal have come down to us, as he wrote them with his own hand. did not affect to think that assassination was a sin which ought to be held in horror by a Christian, or a villainy unworthy of a gentleman; he merely said that the difficulties were great, and that he would not push his friends on extreme danger when it would not be 1 De Thou, liii., xcvi.

in his power to second them effectually. In truth, while Mary lived, it might well be doubted whether the murder of her husband would really be a service to the Jacobite cause. By his death the government would lose, indeed, the strength derived from his eminent personal qualities, but would at the same time be relieved from the load of his personal unpopularity. His whole power would at once devolve on his widow; and the nation would probably rally round her with enthusiasm. If her political abilities were not equal to his, she had not his repulsive manners, his foreign pronunciation, his partiality for everything Dutch and for everything Calvinistic. Many, who had thought her culpably wanting in filial piety, would be of opinion that now at least she was absolved from all duty to a father stained with the blood of her husband. The whole machinery of the administration would continue to work without that interruption which ordinarily followed a demise of the crown. There would be no dissolution of the Parliament, no suspension of any tax: commissions would retain their force; and all that James would have gained by the fall of his enemy would have been a barren revenge.

The death of the Queen changed everything. If a dagger or a bullet should now reach the heart of William, it was probable that there would instantly be general anarchy. The Parliament and the Privy Council would cease to exist. The authority of ministers and judges would expire with him from whom it was derived. It seemed not improbable that at such a

<sup>&</sup>lt;sup>1</sup> Life of James, ii., 545, Orig. Mem. Of course James does not use the word assassination. He talks of the seizing and carrying away of the Prince of Orange.

moment a restoration might be effected without a blow.

Scarcely, therefore, had Mary been laid in the grave when restless and unprincipled men began to plot in earnest against the life of William. most among these men in parts, in courage, and in energy, was Robert Charnock. He had been liberally educated, and had, in the late reign, been a fellow of Magdalene College, Oxford. Alone in that great society he had betrayed the common cause, had consented to be the tool of the High Commission, had publicly apostatized from the Church of England, and, while his college was a Popish seminary, had held the office of Vice-president. The Revolution came, and altered at once the whole course of his life. from the quiet cloister and the old grove of oaks on the bank of the Cherwell, he sought haunts of a very different kind. During several years he led the perilous and agitated life of a conspirator, passed and repassed on secret errands between England and France, changed his lodgings in London often, and was known at different coffee-houses by different names. His services had been requited with a captain's commission signed by the banished King.

With Charnock was closely connected George Porter, an adventurer who called himself a Roman Catholic and a Royalist, but who was in truth destitute of all religious and of all political principle. Porter's friends could not deny that he was a rake and a coxcomb, that he drank, that he swore, that he told extravagant lies about his amours, and that he had been convicted of manslaughter for a stab given in a brawl at the playhouse. His enemies affirmed that

he was addicted to nauseous and horrible kinds of debauchery, and that he procured the means of indulging his infamous tastes by cheating and marauding; that he was one of a gang of clippers; that he sometimes got on horseback late in the evening and stole out in disguise, and that, when he returned from these mysterious excursions, his appearance justified the suspicion that he had been doing business on Hounslow Heath or Finchley Common.<sup>1</sup>

Cardell Goodman, popularly called Scum Goodman, a knave more abandoned, if possible, than Porter, was Goodman. in the plot. Goodman had been on the stage, had been kept, like some much greater men, by the Duchess of Cleveland, had been taken into her house, had been loaded by her with gifts, and had requited her by bribing an Italian quack to poison two of her children. As the poison had not been administered, Goodman could be prosecuted only for a misdemeanor. He was tried, convicted, and sentenced to a ruinous fine. He had since distinguished himself as one of the first forgers of bank-notes.<sup>2</sup>

Sir William Parkyns, a wealthy knight bred to the law, who had been conspicuous among the Tories in the days of the Exclusion Bill, was one of the most important members of the confederacy. He bore a much fairer character than most of his accomplices: but in one respect he was more cul-

<sup>&</sup>lt;sup>1</sup> Everything bad that was known or rumored about Porter came out in the course of the State Trials of 1696.

<sup>&</sup>lt;sup>2</sup> As to Goodman, see the evidence on the trial of Peter Cook; Van Cleverskirke, Feb. 28, March 9, 1696; L'Hermitage, April 10/20, 1696; and a pasquinade entitled *The Duchess of Cleveland's Memorial*.

pable than any of them. For he had, in order to retain a lucrative office which he held in the Court of Chancery, sworn allegiance to the Prince against whose life he now conspired.

The design was imparted to Sir John Fenwick, celebrated on account of the cowardly insult which he had offered to the deceased Queen. Fenwick, if his own assertion is to be trusted, was willing to join in an insurrection, but recoiled from the thought of assassination, and showed so much of what was in his mind as sufficed to make him an object of suspicion to his less scrupulous associates. He kept their secret, however, as strictly as if he had wished them success.

It should seem that, at first, a natural feeling restrained the conspirators from calling their design by the proper name. Even in their private consultations they did not as yet talk of killing the Prince of Orange. They would try to seize him and to carry him alive into France. If there were any resistance, they might be forced to use their swords and pistols, and nobody could be answerable for what a thrust or a shot might In the spring of 1695, the scheme of assassination, thus thinly veiled, was communicated to Tames, and his sanction was earnestly requested. But week followed week, and no answer arrived from him. doubtless remained silent in the hope that his adherents would, after a short delay, venture to act on their own responsibility, and that he might thus have the advantage, without the scandal, of their crime. They seem. indeed, to have so understood him. He had not, they said, authorized the attempt: but he had not prohibited it; and, apprised as he was of their plan, the absence of prohibition was a sufficient warrant. They therefore determined to strike: but before they could make the necessary arrangements William set out for Flanders; and the plot against his life was necessarily suspended till his return.

It was on the twelfth of May that the King left Kensington for Gravesend, where he proposed to embark for the Continent. Three days before his departure the Parliament of Scotland had, the Scottish Parliament. after a recess of about two years, met again at Edinburgh. Hamilton, who had, in the preceding session, sat on the throne and held the sceptre, was dead; and it was necessary to find a new Lord High Commissioner. The person selected was John Hay, Marguess of Tweeddale, Chancellor of the Realm, a man grown old in business, well-informed, prudent, humane, blameless in private life, and, on the whole, as respectable as any Scottish peer who had been long and deeply concerned in the politics of those troubled times.

His task was not without difficulty. It was, indeed, well known that the Estates were generally inclined to support the government. But it was also the slaughter well known that there was one matter of Glencoe. which would require the most dexterous and cautious management. The cry of the blood shed more than three years before in Glencoe had at length made itself heard. Toward the close of the year 1693, the reports, which had at first been contemptuously derided as factious calumnies, began to be thought deserving of serious attention. Many people, who were little disposed to place confidence in anything that came forth from the secret presses of the Jacobites,

owned that, for the honor of the government, some inquiry ought to be instituted. The amiable Mary had been much shocked by what she had heard. William had, at her request, empowered the Duke of Hamilton and several other Scotchmen of note to investigate the whole matter. But the Duke died: his colleagues were slack in the performance of their duty; and the King, who knew little and cared little about Scotland, forgot to urge them.<sup>1</sup>

It now appeared that the government would have done wisely as well as rightly by anticipating the wishes of the country. The horrible story repeated by the nonjurors pertinaciously, confidently, and with so many circumstances as almost enforced belief, had at length roused all Scotland. The sensibility of a people eminently patriotic was galled by the taunts of Southern pamphleteers, who asked whether there was on the north of the Tweed no law, no justice, no humanity, no spirit to demand redress even for the foulest wrongs. Each of the two extreme parties, which were diametrically opposed to each other in general politics, was impelled by a peculiar feeling to call for inquiry. The Jacobites were delighted by the prospect of being able to make out a case which would bring discredit on the usurper, and which might be set off against the many offences imputed by the Whigs to Dundee and Mackenzie. The zealous Presbyterians were not less delighted at the prospect of being able to ruin the Master of Stair. They had never forgotten or forgiven the service which he had rendered to the House of Stuart in the time of the persecution. They knew that, though he had cordially concurred in the political revolution which

<sup>&</sup>lt;sup>1</sup> See the preamble to the Commission of 1695.

had freed them from the hated dynasty, he had seen with displeasure that ecclesiastical revolution which was, in their view, even more important. They knew that church government was with him merely an affair of State, and that, looking at it as an affair of State. he preferred the episcopal to the synodical model. They could not without uneasiness see so adroit and eloquent an enemy of pure religion constantly attending the royal steps, and constantly breathing counsel in the royal ear. They were therefore impatient for an investigation, which, if one-half of what was rumored were true, must produce revelations fatal to the power and fame of the minister whom they distrusted. Nor could that minister rely on the cordial support of all who held office under the crown. His genius and influence had excited the jealousy of many less successful courtiers, and especially of his fellow-secretary, Johnstone.

Thus, on the eve of the meeting of the Scottish Parliament, Glencoe was in the mouths of Scotchmen of all factions and of all sects. William, who was just about to start for the Continent, learned that, on this subject, the Estates must have their way, and that the best thing that he could do would be to put himself at the head of a movement which it was impossible for him to resist. A Commission authorizing Tweeddale and several other privy councillors to examine fully into the matter about which the public mind was so strongly excited was signed by the King at Kensington, was sent down to Edinburgh, and was there sealed with the Great Seal of the realm. This was accomplished just in time. The Parliament had scarcely entered on

<sup>&</sup>lt;sup>1</sup>The Commission will be found in the Minutes of the Parliament.

business when a member rose to move for an inquiry into the circumstances of the slaughter of Glencoe. Tweeddale was able to inform the Estates that His Majesty's goodness had prevented their desires, that a Commission of Precognition had, a few hours before, passed in all the forms, and that the lords and gentlemen named in that instrument would hold their first meeting before night.1 The Parliament unanimously voted thanks to the King for this instance of his paternal care but some of those who joined in the vote of thanks expressed a very natural apprehension that the second investigation might end as unsatisfactorily as the first investigation had ended. The honor of the country, they said, was at stake; and the Commissioners were bound to proceed with such diligence that the result of the inquest might be known before the end of the session. Tweeddale gave assurances which, for a time, silenced the murmurers.<sup>2</sup> But, when three weeks had passed away, many members became mutinous and suspicious. On the fourteenth of June it was moved that the Commissioners should be ordered to report. The motion was not carried: but it was renewed day after day. In three successive sittings Tweeddale was able to restrain the eagerness of the assembly. when he at length announced that the report had been completed, and added that it would not be laid before the Estates till it had been submitted to the King, there was a violent outcry. The public curiosity was intense: for the examination had been conducted with closed doors; and both Commissioners and clerks had been sworn to secrecy. The King was in the Nether-

<sup>&</sup>lt;sup>1</sup> Act. Parl. Scot., May 21, 1695; London Gazette, May 30.

<sup>&</sup>lt;sup>2</sup> Act. Parl. Scot., May 23, 1695.

lands. Weeks must elapse before his pleasure could be taken; and the session could not last much longer. In a fourth debate there were signs which convinced the Lord High Commissioner that it was expedient to yield; and the report was produced.

It is a paper highly creditable to those who framed it, an excellent digest of evidence, clear, passionless, and austerely just. No source from which valuable information was likely to be derived had been neglected. Glengarry and Keppoch, though notoriously disaffected to the government, had been permitted to conduct the case on behalf of their unhappy kinsmen. of the Macdonalds who had escaped from the havoc of that night had been examined, and among them the reigning Mac Ian, the eldest son of the murdered Chief. The correspondence of the Master of Stair with the military men who commanded in the Highlands had been subjected to a strict but not unfair scrutiny. The conclusion to which the Commissioners came, and in which every intelligent and candid inquirer will concur, was that the slaughter of Glencoe was a barbarous murder, and that of this murder the letters of the Master of Stair were the sole warrant and cause.

That Breadalbane was an accomplice in the crime was not proved: but he did not come off quite clear. In the course of the investigation it was incidentally discovered that he had, while distributing the money of William among the Highland chiefs, professed to them the warmest zeal for the interest of James, and advised them to take what they could get from the usurper, but to be constantly on the watch for a favor-

<sup>&</sup>lt;sup>1</sup> Act. Parl. Scot., June 14, 18, 20, 1695; *London Gazette*, June 27.

able opportunity of bringing back the rightful King. Breadalbane's defence was that he was a greater villain than his accusers imagined, and that he had pretended to be a Jacobite only in order to get at the bottom of the Jacobite plans. In truth, the depths of this man's knavery were unfathomable. It was impossible to say which of his treasons were, to borrow the Italian classification, single treasons, and which double treasons. On this occasion the Parliament supposed him to have been guilty only of a single treason, and sent him to the Castle of Edinburgh. The government, on full consideration, gave credit to his assertion that he had been guilty of a double treason, and let him out again.'

The Report of the Commission was taken into immediate consideration by the Estates. They resolved, without one dissentient voice, that the order signed by William did not authorize the slaughter of Glencoe. They next resolved, but, it should seem, not unanimously, that the slaughter was a murder.<sup>2</sup> They proceeded to pass several votes, the sense of which was finally summed up in an address to the King. that part of the address which related to the Master of Stair should be framed was a question about which there was much debate. Several of his letters were called for and read; and several amendments were put to the vote. The Jacobites and the extreme Presbyterians were, with but too good cause, on the side of severity. The majority, however, under the skilful management of the Lord High Commissioner, acquiesced in words which made it impossible for the guilty minister to retain his office, but which did not

<sup>&</sup>lt;sup>1</sup> Burnet, ii., 157; Act. Parl., June 10, 1695.

<sup>&</sup>lt;sup>2</sup> Act. Parl., June 26, 1695; London Gazette, July 4.

impute to him such criminality as would have affected his life or his estate. They censured him, but censured him in terms far too soft. They blamed his immoderate zeal against the unfortunate clans, and his warm directions about performing the execution by surprise. His excess in his letters they pronounced to have been the original cause of the massacre: but, instead of demanding that he should be brought to trial as a murderer, they declared that, in consideration of his absence and of his great place, they left it to the royal wisdom to deal with him in such a manner as might vindicate the honor of the government.

The indulgence which was shown to the principal offender was not extended to his subordinates. Hamilton, who had fled, and had been vainly cited by proclamation at the City Cross to appear before the Estates, was pronounced not to be clear of the blood of the Glencoe men. Glenlyon, Captain Drummond, Lieutenant Lindsey, and Sergeant Barbour, were still more distinctly designated as murderers; and the King was requested to command the Lord Advocate to prosecute them.

The Parliament of Scotland was undoubtedly, on this occasion, severe in the wrong place, and lenient in the wrong place. The cruelty and baseness of Glenlyon and his comrades excite, even after the lapse of a hundred and sixty years, emotions which make it difficult to reason calmly. Yet whoever can bring himself to look at the conduct of these men with judicial impartiality will probably be of opinion that they could not, without great detriment to the commonwealth, have been treated as assassins. They had slain nobody whom they had not been positively directed by their

commanding officer to slay. That subordination without which an army is the worst of all rabbles would be at an end, if every soldier were to be held answerable for the justice of every order in obedience to which he pulls his trigger. The case of Glencoe was doubtless an extreme case: but it cannot easily be distinguished in principle from cases which, in war, are of Very terrible military execuordinary occurrence. tions are sometimes indispensable. Humanity itself may require them. Who, then, is to decide whether there be an emergency such as makes severity the truest mercy? Who is to determine whether it be or be not necessary to lay a thriving town in ashes, to decimate a large body of mutineers, to shoot a whole gang of banditti? Is the responsibility with the commanding officer, or with the rank and file whom he orders to make ready, present, and fire? And if the general rule be that the responsibility is with the commanding officer, and not with those who obey him, is it possible to find any reason for pronouncing the case of Glencoe an exception to that rule? It is remarkable that no member of the Scottish Parliament proposed that any of the private men of Argyle's regiment should be prosecuted for murder. Absolute impunity was granted to everybody below the rank of Sergeant. on what principle? Surely, if military obedience was not a valid plea, every man who shot a Macdonald on that horrible night was a murderer. And, if military obedience was a valid plea for the musketeer who acted by order of Sergeant Barbour, why not for Barbour who acted by order of Glenlyon? And why not for Glenlyon, who acted by order of Hamilton? It can scarcely be maintained that more deference is due from a private to a non-commissioned officer than from a non-commissioned officer to his captain, or from a captain to his colonel.

It may be said that the orders given to Glenlyon were of so peculiar a nature that, if he had been a virtuous man, he would have thrown up his commission, would have braved the displeasure of colonel, general, and Secretary of State, would have incurred the heaviest penalty which a court-martial could inflict, rather than have performed the part assigned to him; and this is perfectly true: but the question is not whether he acted like a virtuous man, but whether he did that for which the government could, without infringing a rule essential to the discipline of camps and to the security of nations, hang him as a murderer. In this case, disobedience was assuredly a moral duty: but it does not follow that obedience was a legal crime.

It seems, therefore, that the guilt of Glenlyon and his fellows was not within the scope of the penal law. The only punishment which could properly be inflicted on them was that which made Cain cry out that it was greater than he could bear; to be vagabonds on the face of the earth, and to carry wherever they went a mark from which even bad men should turn away sick with horror.

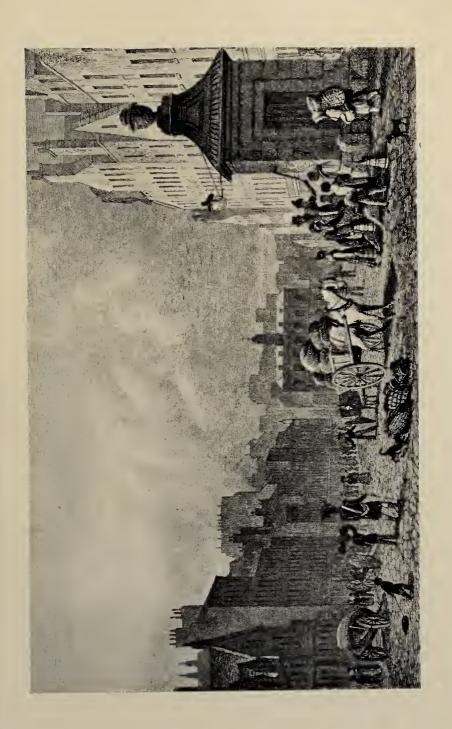
It was not so with the Master of Stair. He had been solemnly pronounced, both by the Commission of Precognition and by the Estates of the Realm in full Parliament, to be the original author of the massacre. That it was not advisable to make examples of his tools was the strongest reason for making an example of him. Every argument which can be urged against punishing the soldier who executes the unjust and invol. IX.—4.

human orders of his superior is an argument for punishing with the utmost rigor of the law the superior with whom the unjust and inhuman orders originate. Where there can be no responsibility below, there should be double responsibility above. What the Parliament of Scotland ought, with one voice, to have demanded was, not that a poor illiterate sergeant, who was hardly more accountable than his own halbert for the bloody work which he had done, should be hanged in the Grassmarket, but that the real murderer, the most politic, the most eloquent, the most powerful of Scottish statesmen, should be brought to a public trial, and should, if found guilty, die the death of a felon. Nothing less than such a sacrifice could expiate such a crime. Unhappily the Estates, by extenuating the guilt of the chief offender, and, at the same time, demanding that his humble agents should be treated with a severity beyond the law, made the stain which the massacre had left on the honor of the nation broader and deeper than before.

Nor is it possible to acquit the King of a great breach of duty. It is, indeed, highly probable that, till he received the report of his Commissioners, he had been very imperfectly informed as to the circumstances of the slaughter. We can hardly suppose that he was much in the habit of reading Jacobite pamphlets; and, if he did read them, he would have found in them such a quantity of absurd and rancorous invective against himself that he would have been very little inclined to credit any imputation which they might throw on his servants. He would have seen himself accused in one tract of being a concealed Papist, in another of having poisoned Jeffreys in the Tower, in a third of having

The Grass Market, Edinburgh.
From a design by Thomas H. Shepherd.







contrived to have Talmash taken off at Brest. He would have seen it asserted that, in Ireland, he once ordered fifty of his wounded English soldiers to be burned alive. He would have seen that the unalterable affection which he felt, from his boyhood to his death, for three or four of the bravest and most trusty friends that ever prince had the happiness to possess was made a ground for imputing to him abominations as foul as those which are buried under the waters of the Dead Sea. He might naturally be slow to believe frightful imputations thrown by writers whom he knew to be habitual liars on a statesman whose abilities he valued highly, and to whose exertions he had, on some great occasions, owed much. But he could not, after he had read the documents transmitted to him from Edinburgh by Tweeddale, entertain the slightest doubt of the guilt of the Master of Stair. To visit that guilt with exemplary punishment was the sacred duty of a Sovereign who had sworn, with his hand lifted up toward heaven, that he would, in his kingdom of Scotland, repress, in all estates and degrees, all oppression, and would do justice, without acceptance of persons, as he hoped for mercy from the Father of all mercies. William contented himself with dismissing the Master from office. For this great fault, a fault amounting to a crime, Burnet tried to frame, not a defence, but an He would have us believe that the King, alarmed by finding how many persons had borne a part in the slaughter of Glencoe, thought it better to grant a general amnesty than to punish one massacre by another. But this representation is the very reverse of the truth. Numerous instruments had doubtless been employed in the work of death: but they had all

received their impulse, directly or indirectly, from a single mind. High above the crowd of offenders towered one offender, pre-eminent in parts, knowledge, rank, and power. In return for many victims immolated by treachery, only one victim was demanded by justice; and it must ever be considered as a blemish on the fame of William that the demand was refused.

On the seventeenth of July the session of the Parliament of Scotland closed. The Estates had liberally voted such a supply as the poor country which they represented could afford. They had, indeed, been put into high good-humor by the notion that they had found out a way of speedily making that poor country rich. Their attention had been divided between the inquiry into the slaughter of Glencoe and some specious commercial projects of which the nature will be explained and the fate related in a future chapter.

Meanwhile all Europe was looking anxiously toward the Low Countries. The great warrior, who had been victorious at Fleurus, at Steinkirk, and at Landen, had not left his equal behind him. But France Netherlands: still possessed Marshals well qualified for high command. Already Catinat and Bouf-Marshal Villeroy. flers had given proofs of skill, of resolution, and of zeal for the interests of the State. Either of those distinguished officers would have been a successor worthy of Luxemburg and an antagonist worthy of William: but their master, unfortunately for himself, preferred to both the Duke of Villeroy. The new general had been Lewis's playmate when they were both children, had then become a favorite, and had never ceased to be so. In those superficial graces for which the French aristocracy was then renowned throughout Europe, Villeroy was pre-eminent among the French aristocracy. His stature was tall, his countenance handsome, his manners nobly and somewhat haughtily polite, his dress, his furniture, his equipages, his table, magnificent. No man told a story with more vivacity: no man sat his horse better in a hunting-party: no man made love with more success: no man staked and lost heaps of gold with more agreeable unconcern: no man was more intimately acquainted with the adventures, the attachments, the enmities of the lords and ladies who daily filled the halls of Versailles. were two characters especially which this fine gentleman had studied during many years, and of which he knew all the plaits and windings, the character of the King, and the character of her who was Queen in everything but name. But there ended Villeroy's acquirements. He was profoundly ignorant both of books and of business. At the Council-board he never opened his mouth without exposing himself. For war he had not a single qualification except that personal courage which was common to him with the whole class of which he was a member. At every great crisis of his political and of his military life he was alternately drunk with arrogance and sunk in dejection. Just before he took a momentous step his self-confidence was boundless: he would listen to no suggestion: he would not admit into his mind the thought that failure was possible. On the first check he gave up everything for lost, became incapable of directing, and ran up and down in helpless despair. Lewis, however, loved him; and he, to do him justice, loved Lewis. The kindness of the master was proof against all the disasters which were brought on his kingdom by the rashness and weakness of the servant; and the gratitude of the servant was honorably, though not judiciously, manifested on more than one occasion after the death of the master.

Such was the general to whom the direction of the campaign in the Netherlands was confided. The Duke of Maine was sent to learn the art of war The Duke under this preceptor. Maine, the natural of Maine. son of Lewis by the Marchioness of Montespan, had been brought up from childhood by Madame de Maintenon, and was loved by Lewis with the love of a father, by Madame de Maintenon with the not less tender love of a foster-mother. Grave men were scandalized by the ostentatious manner in which the King, while making a high profession of piety, exhibited his partiality for this offspring of a double adultery. Kindness, they said, was doubtless due from a parent to a child: but decency was also due from a Sovereign to his people. In spite of these murmurs, the youth had been publicly acknowledged, loaded with wealth and dignities, created a Duke and Peer, placed, by an extraordinary act of royal power, above Dukes and Peers of older creation, married to a Princess of the blood royal, and appointed Grand Master of the Artillery of the realm. With abilities and courage he might have played a great part in the world. But his intellect was small: his nerves were weak; and the women and priests who had educated him had effectually assisted nature. He was orthodox in belief, correct in morals, insinuating in address, a hypocrite, a mischief-maker, and a coward.

It was expected at Versailles that Flanders would,

<sup>1</sup> There is an excellent, though perhaps overcharged portrait
of Villeroy in Saint Simon's *Memoirs*.

during this year, be the chief theatre of war. Here, therefore, a great army was collected. Strong lines were formed from the Lys to the Scheld, and Villeroy fixed his headquarters near Tournay. Boufflers, with about twelve thousand men, guarded the banks of the Sambre.

On the other side the British and Dutch troops, who were under William's immediate command, mustered in the neighborhood of Ghent. The Elector of Bavaria, at the head of a great force, lay near Brussels. A smaller army, consisting chiefly of Brandenburghers, was encamped not far from Huy.

Early in June military operations commenced. first movements of William were mere feints intended to prevent the French generals from suspecting his real purpose. He had set his heart on retaking Namur. The loss of Namur had been the most mortifying of all the disasters of a disastrous war. The importance of Namur in a military point of view had always been great, and had become greater than ever during the three years which had elapsed since the last siege. New works, the masterpieces of Vauban, had been added to the old defences, which had been constructed with the utmost skill of Cohorn. So ably had the two illustrious engineers vied with each other and cooperated with nature, that the fortress was esteemed the strongest in Europe. Over one of the gates had been placed a vaunting inscription which defied the allies to wrench the prize from the grasp of France.

William kept his own counsel so well that not a hint of his intention got abroad. Some thought that Dunkirk, some that Ypres was his object. The marches and skirmishes by which he disguised his design were compared by Saint Simon to the moves of a skilful chess-player. Feuquieres, much more deeply versed in military science than Saint Simon, informs us that some of these moves were hazardous, and that such a game could not have been safely played against Luxemburg; and this is probably true: but Luxemburg was gone; and what Luxemburg had been to William, William was now to Villeroy.

While the King was thus employed, the Jacobites at home, being unable, in his absence, to prosecute their design against his person, contented Jacobite plots themselves with plotting against his governagainst the They were somewhat less closely ment. government watched than during the preceding year: during William's for the event of the trials at Manchester had absence. discouraged Aaron Smith and his agents. Trenchard, whose vigilance and severity had made him an object of terror and hatred, was no more, and had been succeeded, in what may be called the subordinate Secretaryship of State, by Sir William Trumball, a learned civilian and an experienced diplomatist, of moderate opinions, and of temper cautious to timidity.1 The malcontents were emboldened by the lenity of the administration. William had scarcely sailed for the Continent when they held a great meeting at one of their favorite haunts, the Old King's Head in Leadenhall Street. Charnock, Porter, Goodman, Parkyns, and Fenwick were present. The Earl of Ailesbury was there, a man whose attachment to the exiled house was notorious, but who always denied that he had ever thought of effecting a restoration by immoral means.

<sup>&</sup>lt;sup>1</sup> Some curious traits of Trumball's character will be found in Pepys's *Tangier Diary*.

His denial would be entitled to more credit if he had not, by taking the oaths to the government against which he was constantly intriguing, forfeited the right to be considered as a man of conscience and honor. the assembly was Sir John Friend, a nonjuror, who had indeed a very slender wit, but who had made a very large fortune by brewing, and who spent it freely in sedition. After dinner—for the plans of the Jacobite party were generally laid over wine, and generally bore some trace of the conviviality in which they had originated—it was resolved that the time was come for an insurrection and a French invasion, and that a special messenger should carry the sense of the meeting to Saint Germains. Charnock was selected. He undertook the commission, crossed the Channel, saw James, and had interviews with the ministers of Lewis, but could arrange nothing. The English malcontents would not stir till ten thousand French troops were in the island; and ten thousand French troops could not, without great risk, be withdrawn from the army which was contending against William in the Low Countries. When Charnock returned to report that his embassy had been unsuccessful, he found some of his confederates in jail. They had, during his absence amused themselves, after their fashion, by trying to raise a riot in London on the tenth of June, the birthday of the unfortunate Prince of Wales. They met at a tavern in Drury Lane, and, when hot with wine, sallied forth sword in hand, headed by Porter and Goodman, beat kettle-drums, unfurled banners, and began to light bonfires. But the watch, supported by the populace, was too strong for the revellers. They were put to rout: the tavern where they had feasted was sacked by

the mob: the ringleaders were apprehended, tried, fined, and imprisoned, but regained their liberty in time to bear a part in a far more criminal design.

All was now ready for the execution of the plan which William had formed. That plan had been communicated to the other chiefs of the allied Siege of forces, and had been warmly approved. Namur. Vaudemont was left in Flanders with a considerable force to watch Villeroy. The King, with the rest of his army, marched straight on Namur. At the same moment the Elector of Bavaria advanced toward the same point on one side, and the Brandenburghers on another. So well had these movements been concerted, and so rapidly were they performed, that the skilful and energetic Boufflers had but just time to throw himself into the fortress. He was accompanied by seven regiments of dragoons, by a strong body of gunners, sappers, and miners, and by an officer named Megrigny, who was esteemed the best engineer in the French service, with the exception of Vauban. hours after Boufflers had entered the place the besieging forces closed round it on every side; and the lines of circumvallation were rapidly formed.

The news excited no alarm at the French court. There it was not doubted that William would soon be compelled to abandon his enterprise with grievous loss and ignominy. The town was strong: the castle was believed to be impregnable: the magazines were filled with provisions and ammunition sufficient to last till the time at which the armies of that age were expected

<sup>&</sup>lt;sup>1</sup> Postboy, June 13, July 9, 11, 1695; Intelligence Domestic and Foreign, June 14; Pacquet Boat from Holland and Flanders, July 9.

to retire into winter-quarters: the garrison consisted of sixteen thousand of the best troops in the world: they were commanded by an excellent general: he was assisted by an excellent engineer; nor was it doubted that Villeroy would march with his great army to the assistance of Boufflers, and that the besiegers would then be in much more danger than the besieged.

These hopes were kept up by the despatches of Villeroy. He proposed, he said, first to annihilate the army of Vaudemont, and then to drive William from Namur. Vaudemont might try to avoid an action: but he could not escape. The Marshal went so far as to promise his master news of a complete victory within twenty-four hours. Lewis passed a whole day in impatient expectation. At last, instead of an officer of high rank laden with English and Dutch standards, arrived a courier bringing news that Vaudemont had effected a retreat with scarcely any loss, and was safe under the walls of Ghent. William extolled the generalship of his lieutenant in the warmest terms. "My cousin," he wrote, "you have shown yourself a greater master of your art than if you had won a pitched battle." In the French camp, however, and at the French court, it was universally held that Vaudemont had been saved less by his own skill than by the misconduct of those to whom he was opposed. Some threw the whole blame on Villeroy; and Villeroy made no attempt to vindicate himself. But it was generally believed that he might, at least to a great extent, have vindicated himself, had he not preferred royal favor to military renown. His plan, it was said, might have

<sup>&</sup>lt;sup>1</sup> Vaudemont's Despatch and William's Answer are in the *Monthly Mercury* for July, 1695.

succeeded, had not the execution been intrusted to the Duke of Maine. At the first glimpse of danger the dastard's heart had died within him. He had not been able to conceal his poltroonery. He had stood trembling, stuttering, calling for his confessor, while the old officers round him, with tears in their eyes, urged him During a short time the disgrace of the to advance. son was concealed from the father. But the silence of Villerov showed that there was a secret: the pleasantries of the Dutch gazettes soon elucidated the mystery; and Lewis learned, if not the whole truth, yet enough to make him miserable. Never during his long reign had he been so moved. During some hours his gloomy irritability kept his servants, his courtiers, even his priests, in terror. He so far forgot the grace and dignity for which he was renowned throughout the world that, in the sight of all the splendid crowd of gentlemen and ladies who came to see him dine at Marli, he broke a cane on the shoulders of a lackey, and pursued the poor man with the handle.1

The siege of Namur, meanwhile, was vigorously pressed by the allies. The scientific part of their operations was under the direction of Cohorn, who was spurred by emulation to exert his utmost skill. He had suffered, three years before, the mortification of seeing the town, as he had fortified it, taken by his great master Vauban. To retake it, now that the fortifications had received Vauban's last improvements, would be a noble revenge.

On the second of July the trenches were opened. On the eighth a gallant sally of French dragoons was gallantly beaten back; and, late on the same evening,

<sup>&</sup>lt;sup>1</sup> See Saint Simon's Memoirs, and his note upon Dangeau.

a strong body of infantry, the English foot-guards. leading the way, stormed, after a bloody conflict, the outworks on the Brussels side. The King in person directed the attack: and his subjects were delighted to learn that, when the fight was hottest, he laid his hand on the shoulder of the Elector of Bavaria, and exclaimed, "Look, look at my brave English!" Conspicuous in bravery even among those brave English was Cutts. In that bulldog courage which flinches from no danger, however terrible, he was unrivalled. There was no difficulty in finding hardy volunteers, German, Dutch, and British, to go on a forlorn hope: but Cutts was the only man who appeared to consider such an expedition as a party of pleasure. He was so much at his ease in the hottest fire of the French batteries that his soldiers gave him the honorable nickname of the Salamander.1

On the seventeenth the first counterscarp of the town was attacked. The English and Dutch were thrice repulsed with great slaughter, and returned thrice to the charge. At length, in spite of the exertions of the French officers, who fought valiantly sword in hand on the glacis, the assailants remained in possession of the disputed works. While the conflict was raging, William, who was giving his orders under a shower of bullets, saw with surprise and anger, among the officers of his staff, Michael Godfrey, the Deputy Governor of the Bank of England. This gentleman had come to the King's headquarters in order to make some arrange-

<sup>&</sup>lt;sup>1</sup> London Gazette, July 22, 1695; Monthly Mercury of August, 1695. Swift, ten years later, wrote a lampoon on Cutts, so dull and so nauseously scurrilous that Ward or Gildon would have been ashamed of it, entitled the Description of a Salamander.

ments for the speedy and safe remittance of money from England to the army in the Netherlands, and was curious to see real war. Such curiosity William could not endure. "Mr. Godfrey," he said, "you ought not to run these hazards: you are not a soldier: you can be of no use to us here." "Sir," answered Godfrey, "I run no more hazard than Your Majesty." "Not so," said William: "I am where it is my duty to be; and I may without presumption commit my life to God's keeping: but you—" While they were talking, a cannon-ball from the ramparts laid Godfrey dead at the King's feet. It was not found, however, that the fear of being Godfreyed-such was during some time the cant phrase—sufficed to prevent idle gazers from coming to the trenches.1 Though William forbade his coachmen, footmen, and cooks, to expose themselves, he repeatedly saw them skulking near the most dangerous spots and trying to get a peep at the fighting. He was sometimes, it is said, provoked into horsewhipping them out of the range of the French guns; and the story, whether true or false, is very characteristic.

On the twentieth of July the Bavarians and Brandenburghers, under the direction of Cohorn, made themsurrender of selves masters, after a hard fight, of a line of the town of works which Vauban had cut in the solid rock from the Sambre to the Meuse. Three days later, the English and Dutch, Cutts, as usual, in

<sup>&</sup>lt;sup>1</sup> London Gazette, July 29, 1695; Monthly Mercury for August, 1695; Stepney to Lord Lexington, August  $\frac{16}{26}$ ; Robert Fleming's Character of King William, 1702. It was in the attack of July  $\frac{17}{27}$  that Captain Shandy received the memorable wound in his groin.

the front, lodged themselves on the second counterscarp. All was ready for a general assault, when a white flag was hung out from the ramparts. The effective strength of the garrison was now little more than one-half of what it had been when the trenches were opened. Boufflers apprehended that it would be impossible for eight thousand men to defend the whole circuit of the walls much longer; but he felt confident that such a force would be sufficient to keep the stronghold on the summit of the rock. Terms of capitulation were speedily adjusted. A gate was delivered up to the allies. The French were allowed forty-eight hours to retire into the castle, and were assured that the wounded men whom they left below, about fifteen hundred in number, should be well treated. On the sixth the allies marched in. The contest for the possession of the town was over; and a second and more terrible contest began for the possession of the citadel.1

Villeroy had, in the meantime, made some petty conquests. Dixmuyde, which might have offered some resistance, had opened its gates to him, not without grave suspicion of treachery on the part of the governor. Deynse, which was less able to make any defence, had followed the example. The garrisons of both towns were, in violation of a convention which had been made for the exchange of prisoners, sent into France. The Marshal then advanced toward Brussels, in the hope, as it should seem, that, by menacing that beautiful capital, he might induce the allies to raise the siege of the castle of Namur. During thirty-six hours he

<sup>&</sup>lt;sup>1</sup> London Gazette, Aug. 1, 5, 1695; Monthly Mercury of August, 1695, containing the Letters of William and Dykvelt to the States-general.

rained shells and red-hot bullets on the city. The Electress of Bavaria, who was within the walls, miscarried from terror. Six convents perished. hundred houses were at once in flames. lower town would have been burned to the ground, had not the inhabitants stopped the conflagration by blowing up numerous buildings. Immense quantities of the finest lace and tapestry were destroyed: for the industry and trade which made Brussels famous throughout the world had hitherto been little affected by the war. Several of the stately piles which looked down on the market-place were laid in ruins. Town-hall itself, the noblest of the many noble senatehouses reared by the burghers of the Netherlands, was in imminent peril. All this devastation, however, produced no effect except much private misery. William was not to be intimidated or provoked into relaxing the firm grasp with which he held Namur. fire which his batteries kept up round the castle was such as had never been known in war. The French gunners were fairly driven from their pieces by the hail of balls, and forced to take refuge in vaulted galleries under the ground. Cohorn exultingly betted the Elector of Bavaria four hundred pistoles that the place would fall by the thirty-first of August, New Style. The great engineer lost his wager, indeed, but lost it only by a few hours.1

Boufflers began to fear that his only hope was in Villeroy. Villeroy had proceeded from Brussels to Enghien: he had there collected all the French troops that could be spared from the remotest fortresses of the

<sup>&</sup>lt;sup>1</sup> Monthly Mercury for August, 1695; Stepney to Lord Lexington, Aug.  $\frac{16}{26}$ .

Netherlands; and he now, at the head of more than eighty thousand men, marched toward Namur. Vaudemont, meanwhile, joined the besiegers. William. therefore, thought himself strong enough to offer battle to Villeroy, without intermitting for a moment the operations against the castle. The Elector of Bayaria was intrusted with the immediate direction of the siege. The King of England took up, on the west of the town, a strong position strongly intrenched, and there awaited the French, who were advancing from Enghien. Everything seemed to indicate that a great day was at hand. Two of the most numerous and best ordered armies that Europe had ever seen were brought face to face. On the fifteenth of August the defenders of the citadel saw from their watch-towers the mighty host of their countrymen. But between that host and Namur was drawn up in battle order the not less mighty host of William. Villeroy, by a salute of ninety guns, conveyed to Boufflers the promise of a speedy rescue; and at night Boufflers, by fire-signals which were seen far over the vast plain of the Meuse and Sambre, urged Villeroy to fulfil that promise without delay. In the capitals both of France and England the anxiety was intense. Lewis shut himself up in his oratory, confessed, received the Eucharist, and gave orders that the host should be exposed in his chapel. ordered all her nuns to their knees.1 London was kept in a state of distraction by a succession of rumors which sprang, some from the malice of Jacobites, and some from the avidity of stock-jobbers. Early one morning it was confidently averred that there had been

<sup>&</sup>lt;sup>1</sup> Monthly Mercury for August, 1695; Letter from Paris, Aug. 26, 1695; among the Lexington Papers.

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a battle, that the allies had been beaten, that the King had been killed, that the siege had been raised. Exchange, as soon as it was opened, was filled to overflowing by people who came to learn whether the bad news was true. The streets were stopped up all day by groups of talkers and listeners. In the afternoon the Gazette, which had been impatiently expected, and which was eagerly read by thousands, calmed the excitement, but not completely: for it was known that the Jacobites sometimes received, by the agency of privateers and smugglers who put to sea in all weathers, intelligence earlier than that which came through regular channels to the Secretary of State at Whitehall. Before night, however, the agitation had altogether subsided: but it was suddenly revived by a bold imposture. A horseman in the uniform of the Guards spurred through the City, announcing that the King He would probably have raised a had been killed. serious tumult, had not some apprentices, zealous for the Revolution and the Protestant religion, knocked him down and carried him to Newgate. The confidential correspondent of the States-general informed them that, in spite of all the stories which the disaffected party invented and circulated, the general persuasion was that the allies would be successful. The touchstone of sincerity in England, he said, was the betting. Jacobites were ready enough to prove that William must be defeated, or to assert that he had been defeated; but they would not give the odds, and could hardly be induced to take any moderate odds. The Whigs, on the other hand, were ready to stake thousands of guineas on the conduct and good-fortune of the King.1

<sup>1</sup> L'Hermitage, August <sup>18</sup>/<sub>23</sub>, 1695.

The event justified the confidence of the Whigs and the backwardness of the Jacobites. On the sixteenth, seventeenth, and eighteenth of August the army of Villeroy and the army of William confronted each other. It was fully expected that the nineteenth would be the decisive day. The allies were under arms before dawn. At four William mounted, and continued till eight at night to ride from post to post, disposing his own troops and watching the movements of the enemy. The enemy approached his lines, in several places, near enough to see that it would not be easy to dislodge him: but there was no fighting. He lay down to rest, expecting to be attacked when the sun rose. But when the sun rose he found that the French had fallen back some miles. He immediately sent to request that the Elector would storm the castle without delay. While the preparations were making, Portland was sent to summon the garrison for the last time. It was plain, he said to Boufflers, that Villeroy had given up all hope of being able to raise the siege. It would, therefore, be a useless waste of life to prolong the contest. Boufflers, however, thought that another day of slaughter was necessary to the honor of the French arms; and Portland returned unsuccessful.1

Early in the afternoon the assault was made in four places at once by four divisions of the confederate army. One point was assigned to the Brandenburghers, another to the Dutch, a third to the Bavarians, and a fourth to the English. The English were at first less fortunate than they had hitherto been. The truth is that most of the regiments which had seen service had marched

<sup>&</sup>lt;sup>1</sup> London Gazette, August 26, 1695; Monthly Mercury; Stepney to Lexington, August  $\frac{20}{30}$ .

with William to encounter Villeroy. As soon as the signal was given by the blowing up of two barrels of powder, Cutts, at the head of a small body of grenadiers, marched first out of the trenches with drums beating and colors flying. This gallant band was to be supported by four battalions which had never been in action, and which, though full of spirit, wanted the steadiness which so terrible a service required. The officers fell fast. Every colonel, every lieutenantcolonel, was killed or severely wounded. Cutts received a shot in the head which for a time disabled him. raw recruits, left almost without direction, rushed forward impetuously till they found themselves in disorder and out of breath, with a precipice before them, under a terrible fire, and under a shower, scarcely less terrible, of fragments of rock and wall. They lost heart, and rolled back in confusion, till Cutts, whose wound had by this time been dressed, succeeded in rallying them. He then led them, not to the place from which they had been driven back, but to another spot where a fearful battle was raging. The Bavarians had made their onset gallantly but unsuccessfully: their general had fallen; and they were beginning to waver, when the arrival of the Salamander and his men changed the fate of the day. Two hundred English volunteers, bent on retrieving at all hazards the disgrace of the recent repulse, were the first to force a way, sword in hand, through the palisades, to storm a battery which had made great havoc among the Bavarians, and to turn the guns against the garrison. Meanwhile the Brandenburghers, excellently disciplined and excellently commanded, had performed, with no great loss, the duty assigned to them. The Dutch had been equally successful. When the evening closed in, the allies had made a lodgement of a mile in extent on the outworks of the castle. The advantage had been purchased by the loss of two thousand men.<sup>1</sup>

And now Boufflers thought that he had done all that his duty required. On the morrow he asked for a truce of forty-eight hours, in order that the hundreds of corpses, which choked the ditches, and which would soon have spread pestilence among both the besiegers and the besieged, might be removed and interred. request was granted; and, before the time expired. he intimated that he was disposed to capitulate. He would, he said, deliver up the castle in ten days, if he were not relieved sooner. He was informed that the allies would not treat with him on such terms, and that he must either consent to an immediate surrender, or prepare for an immediate assault. He yielded; and it was agreed that he and his men should be suffered to depart, leaving the citadel, the artillery, and the stores to the conquerors. Three peals from all the guns of the confederate army notified to Villeroy the fall of the stronghold which he had vainly attempted to succor. He instantly retreated towards Mons, leaving William to enjoy undisturbed a triumph which was made more delightful by the recollection of many misfortunes.

The twenty-sixth of August was fixed for an exhibition such as the oldest soldier in Europe had never surrender of seen, and such as, a few weeks before, the the castle of youngest had scarcely hoped to see. From Namur. the first battle of Condé to the last battle

<sup>&</sup>lt;sup>1</sup> Boyer's History of King William III., 1703; London Gazette, Aug. 29, 1695; Stepney to Lexington, Aug. <sup>20</sup>/<sub>30</sub>; Blathwayt to Lexington, Sept. 2.

of Luxemburg, the tide of military success had run, without any serious interruption, in one direction. That tide had turned. For the first time, men said, since France had marshals, a Marshal of France was to deliver up a fortress to a victorious

enemy.

The allied forces, foot and horse, drawn up in two lines, formed a magnificent avenue from the breach which had lately been so desperately contested to the bank of the Meuse. The Elector of Bavaria, the Landgrave of Hesse, and many distinguished officers were on horseback in the vicinity of the castle. William was near them in his coach. The garrison, reduced to about five thousand men, came forth with drums beating and ensigns flying. Boufflers and his staff closed the procession. There had been some difficulty about the form of the greeting which was to be exchanged between him and the allied Sovereigns. An Elector of Bavaria was hardly entitled to be saluted by the Marshal with the sword. A King of England was undoubtedly entitled to such a mark of respect: but France did not recognize William as King of Eng-At last Boufflers consented to perform the salute without marking for which of the two princes it was intended. He lowered his sword. William alone acknowledged the compliment. A short conversation followed. The Marshal, in order to avoid the use of the words Sire and Majesty, addressed himself only to the Elector. The Elector, with every mark of deference, reported to William what had been said; and William gravely touched his hat. The officers of the garrison carried back to their country the news that the upstart, who at Paris was designated only as Prince of Orange, was treated by the proudest potentates of the Germanic body with a respect as profound as that which Lewis exacted from the gentlemen of his bedchamber.<sup>1</sup>

The ceremonial was now over; and Boufflers passed on: but he had proceeded but a short way when he was stopped by Dykvelt, who accompanied the allied army as deputy from the States-Boufflers. general. "You must return to the town. sir," said Dykvelt. "The King of England has ordered me to inform you that you are his prisoner." Boufflers was in transports of rage. His officers crowded round him, and vowed to die in his defence. But resistance was out of the question: a strong body of Dutch cavalry came up; and the Brigadier who commanded them demanded the Marshal's sword. The Marshal uttered indignant exclamations: "This is an infamous breach of faith. Look at the terms of the capitulation. What have I done to deserve such an affront? Have I not behaved like a man of honor? Ought I not to be treated as such? But beware what you do, gentlemen. I serve a master who can and will avenge me." "I am a soldier, sir," answered the Brigadier; "and my business is to obey orders without troubling myself about consequences." Dykvelt calmly and courteously replied to the Marshal's indignant exclamations. "The King of England has reluctantly followed the example set by your master. The soldiers who garrisoned Dixmuyde and Deynse have, in defiance of plighted faith, been sent prisoners into France. The Prince whom they serve would be

<sup>&</sup>lt;sup>1</sup> Postscript to the *Monthly Mercury* for August 1695; *London Gazette*, Sept. 9; Saint Simon; Dangeau.

wanting in his duty to them if he did not retaliate. His Majesty might with perfect justice have detained all the French who were in Namur. But he will not follow to such a length a precedent which he disapproves. He has determined to arrest you, and you alone: and, sir, you must not regard as an affront what is in truth a mark of his very particular esteem. How can he pay you a higher compliment than by showing that he considers you as fully equivalent to the five or six thousand men whom your sovereign wrongfully holds in captivity? Nay, you shall even now be permitted to proceed if you will give me your word of honor to return hither unless the garrisons of Dixmuvde and Devnse are released within a fortnight." "I do not at all know," answered Boufflers, "why the King my master detains those men; and therefore I cannot hold out any hope that he will liberate them. You have an army at your back: I am alone; and you must do your pleasure." He gave up his sword, returned to Namur, and was sent thence to Huy, where he passed a few days in luxurious repose, was allowed to choose his own walks and rides, and was treated with marked respect by those who guarded him. the shortest time in which it was possible to post from the place where he was confined to the French court and back again, he received full powers to promise that the garrisons of Dixmuyde and Devnse should be released. He was instantly liberated; and he set off for Fontainebleau, where an honorable reception awaited him. He was created a Duke and a Peer. That he might be able to support his new dignities, a considerable sum of money was bestowed on him; and, in the presence of the whole aristocracy of France, he was welcomed home by Lewis with an affectionate embrace.1

In all the countries which were united against France the news of the fall of Namur was received with joy; but here the exultation was greatest. During several generations our ancestors had achieved nothing considerable by land against foreign enemies. We had, indeed, occasionally furnished to our allies small bands of auxiliaries who had well maintained the honor of the nation. But from the day on which the two brave Talbots, father and son, had perished in the vain attempt to reconquer Guienne, till the Revolution, there had been on the Continent no campaign in which Englishmen had borne a principal part. At length our ancestors had again, after an interval of near two centuries and a half, begun to dispute with the warriors of France the palm of military prowess. The struggle had been hard. The genius of Luxemburg and the consummate discipline of the household troops of Lewis had prevailed in two great battles: but the event of those battles had been long doubtful: the victory had been dearly purchased; and the victor had gained little more than the honor of remaining master of the field of slaughter. Meanwhile he was himself training his adversaries. The recruits who survived that severe tuition speedily became veterans. Steinkirk and Landen had formed the volunteers who followed Cutts through the palisades of Namur. The judgment of all the great warriors whom all the nations of Western Europe had sent to the confluence of the Sambre and

<sup>1</sup> Boyer, History of King William III., 1703; Postscript to the Monthly Mercury, Aug., 1695; London Gazette, Sept. 9, 12; Blathwayt to Lexington, Sept. 6; Saint Simon; Dangeau. the Meuse was that the English subaltern was inferior to no subaltern, and the English private soldier to no private soldier in Christendom. The English officers of higher rank were thought hardly worthy to command such an army. Cutts, indeed, had distinguished himself by his intrepidity. But those who most admired him acknowledged that he had neither the capacity nor the science necessary to a general.

The joy of the conquerors was heightened by the recollection of the discomfiture which they had suffered, three years before, on the same spot, and of the insolence with which their enemy had then triumphed over them. They now triumphed in their turn. The Dutch struck medals. The Spaniards sang Te Deums. Many poems, serious and sportive, appeared, of which one only has lived. Prior burlesqued, with admirable spirit and pleasantry, the bombastic verses in which Boileau had celebrated the first taking of Namur. The two odes, printed side by side, were read with delight in London; and the critics at Will's pronounced that, in wit as in arms, England had been victorious.

The fall of Namur was the great military event of this year. The Turkish war still kept a large part of the forces of the Emperor employed in indecisive operations on the Danube. Nothing deserving to be mentioned took place either in Piedmont or on the Rhine. In Catalonia the Spaniards obtained some slight advantages, advantages due to the English and Dutch allies, who seem to have done all that could be done to help a nation never much disposed to help itself. The maritime superiority of England and Holland was now fully established. During the whole summer Russell was the undisputed master of the Mediterranean, passed

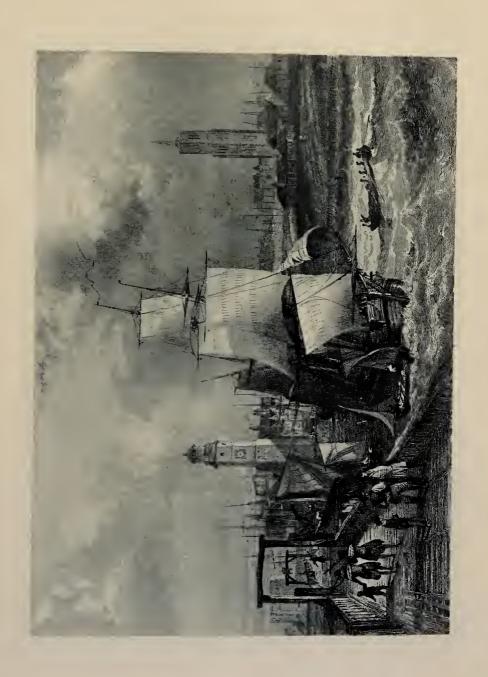
and repassed between Spain and Italy, bombarded Palamos, spread terror along the whole shore of Provence, and kept the French fleet imprisoned in the harbor of Toulon. Meanwhile Berkeley was the undisputed master of the Channel, sailed to and fro in sight of the coasts of Artois, Picardy, Normandy, and Brittany, threw shells into Saint Maloes, Calais, and Dunkirk, and burned Granville to the ground. navy of Lewis, which, five years before, had been the most formidable in Europe, which had ranged the British seas unopposed from the Downs to the Land's End. which had anchored in Torbay, and had laid Teignmouth in ashes, now gave no sign of existence except by pillaging merchantmen who were unprovided with convoy. In this lucrative war the French privateers were, toward the close of the summer, very successful. Several vessels laden with sugar from Barbadoes were captured. The losses of the unfortunate East India Company, already surrounded by difficulties, and impoverished by boundless prodigality in corruption, were enormous. Five large ships returning from the Eastern seas, with cargoes of which the value was popularly estimated at a million, fell into the hands of the enemy. These misfortunes produced some murmuring on the Royal Exchange. But, on the whole, the temper of the capital and of the nation was better than it had been during some years.

Meanwhile events which no preceding historian has condescended to mention, but which were of far greater importance than the achievements of William's army or of Russell's fleet, were taking place in London. A great experiment was making. A great Revolution was in progress. Newspapers had made their appearance.

While the Licensing Act was in force there was no newspaper in England except the London Gazette, which was edited by a clerk in the office of emancipation the Secretary of State, and which contained nothing but what the Secretary of State of the English press. wished the nation to know. There were, indeed, many periodical papers: but none of those papers could be called a newspaper. Welwood, a zealous Whig, published a journal called the Observator: but his Observator, like the Observator which Lestrange had formerly edited, contained, not the news, but merely dissertations on politics. A crazy bookseller, named John Dunton, published the Athenian Mercury: but the Athenian Mercury merely discussed questions of natural philosophy, of casuistry, and of gallantry. A fellow of the Royal Society, named John Houghton, published what he called a Collection for the Improvement of Industry and Trade: but his Collection contained little more than the prices of stocks, explanations of the modes of doing business in the City, puffs of new projects, and advertisements of books, quack medicines, chocolate, Spa water, civet-cats, surgeons wanting ships, valets wanting masters, and ladies wanting husbands. If ever he printed any political news, he transcribed it from the Gazette. The Gazette was so partial and so meagre a chronicle of events that, though it had no competitors, it had but a small circulation. eight thousand copies were printed—much less than one to each parish in the kingdom. In truth, a person who had studied the history of his own time only in the Gazette would have been ignorant of many events of the highest importance. He would, for example, have known nothing about the Court-martial on Torrington.

Dunkerque, France. From a design by Rouargue Frères.







the Lancashire Trials, the burning of the Bishop of Salisbury's Pastoral Letter, or the impeachment of the Duke of Leeds. But the deficiencies of the Gazette were to a certain extent supplied in London by the coffee-houses, and in the country by the news-letters.

On the third of May, 1695, the law which had subjected the press to a censorship expired. fortnight, a stanch old Whig, named Harris, who had, in the days of the Exclusion Bill, attempted to set up a newspaper entitled Intelligence Domestic and Foreign, and who had been speedily forced to relinquish that design, announced that the Intelligence Domestic and Foreign, suppressed fourteen years before by tyranny would again appear. Ten days after was printed the first number of the English Courant. Then came the Packet-boat from Holland and Flanders, the Pegasus, the London News-letter, the London Post, the Flying Post, the Old Postmaster, the Postboy, and the Post-The history of the newspapers of England from that time to the present day is a most interesting and instructive part of the history of the country. they were small and mean-looking. Even the Postboy and the Postman, which seemed to have been the best conducted and the most prosperous, were wretchedly printed on scraps of dingy paper such as would not now be thought good enough for street-ballads. Only two numbers came out in a week; and a number contained little more matter than may be found in a single column of a daily paper of our time. What is now called a leading article seldom appeared, except when there was a scarcity of intelligence, when the Dutch mails were detained by the west wind, when the Rapparees were quiet in the Bog of Allen, when no stage-coach

had been stopped by highwaymen, when no nonjuring congregation had been dispersed by constables, when no ambassador had made his entry with a long train of coaches and six, when no lord or poet had been buried in the Abbey, and when, consequently, it was difficult to fill up two pages. Yet the leading articles, though inserted, as it should seem, only in the absence of more attractive matter, are by no means contemptibly written.

It is a remarkable fact that the infant newspapers were all on the side of King William and the Revolution. This fact may be partly explained by the circumstance that the editors were, at first, on their good behavior. It was by no means clear that their trade was not in itself illegal. The printing of newspapers was certainly not prohibited by any statute. toward the close of the reign of Charles the Second, the judges had pronounced that it was a misdemeanor at common law to publish political intelligence without the King's license. It is true that the judges who had laid down this doctrine were removable at the royal pleasure, and were eager on all occasions to exalt the royal prerogative. How the question, if it were again raised, would be decided by Holt and Treby was doubtful; and the effect of the doubt was to make the ministers of the crown indulgent, and to make the journalists cautious. On neither side was there a wish to bring the question of right to issue. The government therefore connived at the publication of the newspapers: and the conductors of the newspapers carefully abstained from publishing anything that could provoke or alarm the government. It is true that, in one of the earliest numbers of one of the new journals, a paragraph appeared which seemed intended to convey an insinuation that the Princess Anne did not sincerely rejoice at the fall of Namur. But the printer made haste to atone for his fault by the most submissive apologies. During a considerable time the unofficial gazettes, though more garrulous and amusing than the official gazette, were scarcely less courtly. Whoever examines them will find that the King is always mentioned with profound respect. About the debates and divisions of the two Houses a reverential silence is preserved. There is much invective: but it is almost all directed against the Jacobites and the French. It seems certain that the government of William gained not a little by the substitution of these printed newspapers, composed under constant dread of the Attorney-general, for the old news-letters, which were written with unbounded license.1

The pamphleteers were under less restraint than the

<sup>1</sup> There is a noble, and, I suppose, unique Collection of the newspapers of William's reign in the British Museum. I have turned over every page of that Collection. It is strange that neither Luttrell nor Evelyn should have noticed the first appearance of the new journals. The earliest mention of those journals which I have found is in a despatch of L'Hermitage, dated July 12/22, 1695. I will transcribe his words: "Depuis quelque tems on imprime ici plusieurs feuilles volantes en forme de gazette, qui sont remplies de toutes sortes de nouvelles. Cette licence est venue de ce que le parlement n'a pas achévé le bill ou projet d'acte qui avoit été porté dans la Chambre des Communes pour régler l'imprimerie et empêcher que ces sortes de choses n'arrivassent. Il n'y avoit ci-devant qu'un des commis des Secrétaires d'Etat qui eût le pouvoir de faire des gazettes: mais aujourdhui il s'en fait plusieurs sous d'autres noms." L'Hermitage mentions the paragraph reflecting on the Princess, and the submission of the libeller.

journalists: yet no person who has studied with attention the political controversies of that time can have failed to perceive that the libels on William's person and government were decidedly less coarse and rancorous during the latter half of his reign than during the earlier half. And the reason evidently is that the press, which had been fettered during the earlier half of his reign, was free during the latter half. the censorship existed, no tract blaming, even in the most temperate and decorous language, the conduct of any public department, was likely to be printed with the approbation of the licenser. To print such a tract without the approbation of the licenser was illegal. general, therefore, the respectable and moderate opponents of the court, not being able to publish in the manner prescribed by law, and not thinking it right or safe to publish in a manner prohibited by law, held their peace, and left the business of criticising the administration to two classes of men, fanatical nonjurors who hated the ruling powers with an insane hatred, and Grub Street hacks, coarse-minded, bad-hearted, and foul-mouthed. Thus there was scarcely a single man of judgment, temper, and integrity among the many who were in the habit of writing against the gov-Indeed, the habit of writing against the government had of itself an unfavorable effect on the character. For whoever was in the habit of writing against the government was in the habit of breaking the law; and the habit of breaking even an unreasonable law tends to make men altogether lawless. ever absurd a tariff may be, a smuggler is but too likely to be a knave and a ruffian. However oppressive a game-law may be, the transition is but too easy from poaching to assault and battery, and from assault and battery to murder. And so, though little indeed can be said in favor of the statutes which imposed restraints on literature, there was much risk that a man who was constantly violating those statutes would not be a man of rigid uprightness and stainless honor. An author who was determined to print, and could not obtain a license, must employ the services of needy and desperate outcasts, who, hunted by the peace officers, and forced to assume every week new aliases and new disguises, hid their paper and their types in those dens of vice which are the pest and the shame of great capitals. Such wretches as these he must bribe to keep his secret, and to run the chance of having their backs flaved and their ears clipped in his stead. A man stooping to such companions and to such expedients could hardly retain unimpaired the delicacy of his sense of what was right and becoming. The emancipation of the press produced a great and salutary change. The best and wisest men in the ranks of the opposition now assumed an office which had hitherto been abandoned to the unprincipled or the hot-headed. Tracts against the government were written in a style not misbecoming statesmen and gentlemen; and even the compositions of the lower and fiercer class of malcontents became somewhat less brutal and less ribald than formerly.

Some weak men had imagined that religion and morality stood in need of the protection of the licenser. The event signally proved that they were in error. In truth, the censorship had scarcely put any restraint on licentiousness or profaneness. The Paradise Lost had narrowly escaped mutilation: for the Paradise Lost was the work of a man whose politics were hateful to the

government. But Etherege's She Would If She Could, Wycherley's Country Wife, Dryden's Translations from the Fourth Book of Lucretius, obtained the Imprimatur without difficulty: for Etherege, Wycherley, and Dryden were courtiers. From the day on which the emancipation of our literature was accomplished, the purification of our literature began. That purification was effected, not by the intervention of senates or magistrates, but by the opinion of the great body of educated Englishmen, before whom good and evil were set, and who were left free to make their choice. ing a hundred and sixty years the liberty of our press had been constantly becoming more and more entire; and during those hundred and sixty years the restraint imposed on writers by the general feeling of readers has been constantly becoming more and more strict. At length even that class of works in which it was formerly thought that a voluptuous imagination was privileged to disport itself, love-songs, comedies, novels, have become more decorous than the sermons of the seventeenth century. At this day foreigners, who dare not print a word reflecting on the government under which they live, are at a loss to understand how it happens that the freest press in Europe is the most prudish.

On the tenth of October, the King, leaving his army in winter-quarters, arrived in England, and was re-

Return of William to England: dissolution of the Parliament.

ceived with unwonted enthusiasm. During his passage through the capital to his palace, the bells of every church were ringing, and every street was lighted up. It was late before he made his way through the shouting crowds to Kensington. But, late as it was.

a council was instantly held. An important point was to be decided. Should the House of Commons be permitted to sit again, or should there be an immediate dissolution? The King would probably have been willing to keep that House to the end of his reign. But this was not in his power. The Triennial Act had fixed the first of November, 1696, as the latest day of the existence of the Parliament. If, therefore, there were not a general election in 1605, there must be a general election in 1696; and who could say what might be the state of the country in 1696? There might be an unfortunate campaign. There might be, indeed there was but too good reason to believe that there would be, a terrible commercial crisis. In either case, it was probable that there would be much ill-humor. The campaign of 1695 had been brilliant: the nation was in an excellent temper; and William wisely determined to seize the fortunate moment. Two proclamations were immediately published. One of them announced, in the ordinary form, that His Majesty had determined to dissolve the old Parliament, and that he had ordered writs to be issued for a new Parliament. The other signified the royal pleasure to be that every regiment quartered in a place where an election was to be held should march out of that place the day before the nomination, and should not return till the people had made their choice. From this order, which was generally considered as indicating a laudable respect for popular rights, the garrisons of fortified towns and castles were necessarily excepted.

But, though William carefully abstained from disgusting the constituent bodies by anything that could look like coercion or intimidation, he did not disdain

to influence their votes by milder means. He resolved to spend the six weeks of the general election in showing himself to the people of many districts which he had never yet visited. He hoped to acquire in this way a popularity which might have a considerable effect on the returns. He therefore forced himself to behave with a graciousness and affability in which he was too often deficient; and the consequence was that he received, at every stage of his progress, marks of the good-will of his subjects. Before he set out, he paid a visit in form to his sister-in-law, and was much pleased with his reception. The Duke of Gloucester, only six years old, with a little musket on his shoulder, came to meet his uncle, and presented arms. "I am learning my drill," the child said, "that I may help you to beat the French." The King laughed much, and, a few days later, rewarded the young soldier with the Garter.1

On the seventeenth of October William went to Newmarket, now a place rather of business than of pleasure, but, in the autumns of that age, the gayest William and most luxurious spot in the island. It gress through was not unusual for the whole court and the country. cabinet to go down to the meetings. Jewellers and milliners, players and fiddlers, venal wits and venal beauties followed in crowds. The streets were made impassable by coaches and six. In the places of public resort peers flirted with maids of honor; and officers of the Life Guards, all plumes and gold lace, jostled professors in trencher caps and black gowns. For, on such occasions, the neighboring University of Cambridge always sent her highest functionaries with 'L'Hermitage, Oct. 15 Nov. 15 1695.

Entrance to London at Mile End—18th Century

Redrawn from Hughson's "Description of London."







loyal addresses, and selected her ablest theologians to preach before the Sovereign and his splendid retinue. In the wild days of the Restoration, indeed, the most learned and eloquent divine might fail to draw a fashionable audience, particularly if Buckingham announced his intention of holding forth: for sometimes His Grace would enliven the dulness of a Sunday morning by addressing to the bevy of fine gentlemen and fine ladies a ribald exhortation which he called a sermon. But the court of William was more decent; and the Academic dignitaries were treated with marked respect. With lords and ladies from Saint James's and Soho, and with doctors from Trinity College and King's College, were mingled the provincial aristocracy, foxhunting squires and their rosy-cheeked daughters, who had come in queer-looking family coaches drawn by cart-horses from the remotest parishes of three or four counties to see their Sovereign. The heath was fringed by a wild, gypsy-like camp of vast extent; for the hope of being able to feed on the leavings of many sumptuous tables, and to pick up some of the guineas and crowns which the spendthrifts of London were throwing about, attracted thousands of peasants from a circle of many miles.1

William, after holding his court a few days at this joyous place, and receiving the homage of Cambridgeshire, Huntingdonshire, and Suffolk, proceeded to Althorpe. It seems strange that he should, in the course

<sup>&</sup>lt;sup>1</sup> London Gazette, Oct. 24, 1695. See Evelyn's Account of Newmarket in 1671, and Pepys, July 18, 1668. From Tallard's despatches, written after the Peace of Ryswyck, it appears that the autumn meetings were not less numerous or splendid in the days of William than in those of his uncles.

of what was really a canvassing tour, have honored with such a mark of favor a man so generally distrusted and hated as Sunderland. But the people were determined to be pleased. All Northamptonshire crowded to kiss the royal hand in that fine gallery which had been embellished by the pencil of Vandyke and made classical by the muse of Waller; and the Earl tried to conciliate his neighbors by feasting them at eight tables, all blazing with plate. From Althorpe the King proceeded to Stamford. The Earl of Exeter, whose princely seat was, and still is, one of the great sights of England, had never taken the oaths, and had, in order to avoid an interview which must have been disagreeable, found some pretext for going up to London, but had left directions that the illustrious guest should be received with fitting hospitality. William was fond of architecture and of gardening; and his nobles could not flatter him more than by asking his opinion about the improvement of their countryseats. At a time when he had many cares pressing on his mind he took a great interest in the building of Castle Howard; and a wooden model of that edifice, the finest specimen of a vicious style, was sent to Kensington for his inspection. We cannot, therefore, wonder that he should have seen Burleigh with delight. indeed, not content with one view, but rose early on the following morning for the purpose of examining the house a second time. From Stamford he went on to Lincoln, where he was greeted by the clergy in full canonicals, by the magistrates in scarlet robes, and by a multitude of baronets, knights, and esquires, from all parts of the immense plain which lies between the Trent and the German Ocean. After attending divine

service in the magnificent cathedral, he took his departure, and journeved westward. On the frontier of Nottinghamshire, the Lord-lieutenant of that county. John Holles, Duke of Newcastle, with a great following, met the royal carriages, and escorted them to his seat at Welbeck, a mansion surrounded by gigantic oaks, which scarcely seemed older now than on the day when that splendid procession passed under their shade. The house in which William was then, during a few hours, a guest, was transferred, long after his death, by female descents, from the Holleses to the Harleys, and from the Harleys to the Bentincks, and now contains the originals of those singularly interesting letters which were exchanged between him and his trusty friend and servant Portland. At Welbeck the grandees of the North were assembled. The Lord Mayor of York came thither with a train of magistrates, and the Archbishop of York with a train of divines. William hunted several times in that forest, the finest in the kingdom, which in old times gave shelter to Robin Hood and Little John, and which is now portioned out into the lordly domains of Welbeck, Thoresby, Clumber, and Worksop. Four hundred gentlemen on horseback partook of his sport. The Nottinghamshire squires were charmed to hear him say at table, after a noble stag-chase, that he hoped that this was not the last run which he should have with them, and that he must hire a huntingbox among their delightful woods. He then turned southward. He was entertained during one day by the Earl of Stamford at Bradgate, the place where Lady Jane Grey sat alone reading the last words of Socrates while the deer was flying through the park

followed by the whirlwind of hounds and hunters. On the morrow the Lord Brook welcomed his Sovereign to Warwick Castle, the finest of those fortresses of the Middle Ages which have been turned into peaceful dwellings. Guy's Tower was illuminated. A cistern containing a hundred and twenty gallons of punch was emptied to his Majesty's health; and a mighty pile of fagots blazed in the middle of that spacious court which is overhung by ruins green with the ivy of centuries. The next morning the King, accompanied by a multitude of Warwickshire gentlemen on horseback, proceeded toward the borders of Gloucestershire. deviated from his route to dine with Shrewsbury at a secluded mansion in the Wolds, and in the evening went on to Burford. The whole population of Burford met him, and entreated him to accept a small token of their love. Burford was then renowned for its saddles. One inhabitant of the town, in particular, was said by the English to be the best saddler in Europe. Two of his masterpieces were respectfully offered to William, who received them with much grace, and ordered them to be especially reserved for his own use.1

At Oxford he was received with great pomp, complimented in a Latin oration, presented with some of the most beautiful productions of the Academic press, entertained with music, and invited to a sumptuous feast in the Sheldonian theatre. He departed in a few hours, pleading, as an excuse for the shortness of his stay, that he had seen the colleges before, and that

<sup>&</sup>lt;sup>1</sup>I have taken this account of William's progress chiefly from the *London Gazettes*, from the despatches of L'Hermitage, from Narcissus Luttrell's *Diary*, and from the letters of Vernon, Yard, and Cartwright among the *Lexington Papers*.

this was a visit, not of curiosity, but of kindness. As it was well known that he did not love the Oxonians, and was not loved by them, his haste gave occasion to some idle rumors which found credit with the yulgar. It was said that he hurried away without tasting the costly banquet which had been provided for him, because he had been warned by an anonymous letter that if he ate or drank in the theatre, he was a dead man. But it is difficult to believe that a prince who could scarcely be induced, by the most earnest entreaties of his friends, to take the most common precautions against assassins of whose designs he had trustworthy evidence, would have been scared by so silly a hoax; and it is quite certain that the stages of his progress had been marked, and that he remained at Oxford as long as was compatible with arrangements previously made.1

He was welcomed back to his capital by a splendid show, which had been prepared at great cost during his absence. Sidney, now Earl of Romney and Master of the Ordnance, had determined to astonish London by an exhibition of a kind which had never been seen in England on so large a scale. The whole skill of the pyrotechnists of his department was employed to produce a display of fireworks which might vie with any that had been seen in the gardens of Versailles or on the great tank at the Hague. Saint James's Square was selected as the place for the spectacle. All the stately mansions on the northern, eastern, and western sides were crowded with people of fashion. The King appeared at a window of Romney's drawing-room. The

<sup>&</sup>lt;sup>1</sup> See the letter of Yard to Lexington, Nov. 8, 1695, and the note by the editor of the Lexington Papers.

Princess of Denmark, her husband, and her court occupied a neighboring house. The whole diplomatic body assembled at the dwelling of the minister of the United Provinces. A huge pyramid of flame in the centre of the area threw out brilliant cascades, which were seen by hundreds of thousands who crowded the neighboring streets and parks. The States-general were informed by their correspondent that, great as the multitude was, the night was passed without the slightest disturbance.

By this time the elections were almost completed. In every part of the country it had been manifest that the constituent bodies were generally zeal-The ous for the King and for the war. elections. City of London, which had returned four Tories in 1690, returned four Whigs in 1695. proceedings at Westminster, an account more than usually circumstantial has come down to us. In 1690, the electors, disgusted by the Sacheverell Clause, had returned two Tories. In 1695, as soon as it was known that a new Parliament was likely to be called, a meeting was held, at which it was resolved that a deputation should be sent with an invitation to two Commissioners of the Treasury, Charles Montague and Sir Stephen Fox. Sir Walter Clarges stood on the Tory interest. On the day of nomination near five thousand electors paraded the streets on horseback. They were divided into three bands: and at the head of each band rode one of the candidates. It was easy to estimate at a glance the comparative strength of the For the cavalcade which followed Clarges was parties. the least numerous of the three; and it was well known

<sup>1</sup> L'Hermitage, Nov. ½5, 1695.

that the followers of Montague would vote for Fox, and the followers of Fox for Montague. The business of the day was interrupted by loud clamors. The Whigs cried shame on the Jacobite candidate who wished to make the English go to mass, eat frogs, and wear wooden shoes. The Tories hooted the two placemen who were raising great estates out of the plunder of the poor overburdened nation. From words the incensed factions proceeded to blows; and there was a riot which was with some difficulty quelled. The High Bailiff then walked round the three companies of horsemen, and pronounced, on the view, that Montague and Fox were duly elected. A poll was demanded. The Tories exerted themselves strenuously. Neither money nor ink was spared. Clarges disbursed two thousand pounds in a few hours, a great outlay in times when the average estate of a member of Parliament was not estimated at more than eight hundred a year. In the course of the night which followed the nomination, broadsides filled with invectives against the two courtly upstarts who had raised themselves by knavery from poverty and obscurity to opulence and power were scattered all over the capital. The Bishop of London canvassed openly against the government; for the interference of peers in elections had not yet been declared by the Commons to be a breach of privilege. But all was vain. Clarges was at the bottom of the poll, without hope of rising. He withdrew; and Montague was carried on the shoulders of an immense multitude from the hustings in Palace Yard to his office at Whitehall.1

<sup>&</sup>lt;sup>1</sup> L'Hermitage, Oct. 25, Oct. 29, 1695.

The same feeling exhibited itself in many other places. The freeholders of Cumberland instructed their representatives to support the King, and to vote whatever supplies might be necessary for the purpose of carrying on the war with vigor; and this example was followed by several counties and towns.1 Russell did not arrive in England till after the writs had gone out. But he had only to choose for what place he would sit. His popularity was immense: for his villanies were secret, and his public services were universally known. He had won the battle of La Hogue. He had commanded two years in the Mediterranean. He had there shut up the French fleets in the harbor of Toulon, and had stopped and turned back the French armies in Catalonia. He had taken many men-of-war, and among them two ships of the line; and he had not, during his long absence in a remote sea, lost a single vessel either by war or by weather. He had made the red cross of Saint George an object of terror to all the princes and commonwealths of Italy. The effect of these successes was that embassies were on their way from Florence, Genoa, and Venice, with tardy congratulations to William on his accession. merits, artfully magnified by the Whigs, made such an impression that he was returned to Parliament, not only by Portsmouth, where his official situation gave him great influence, and by Cambridgeshire, where his private property was considerable, but also by Middlesex. This last distinction, indeed, he owed chiefly to the name which he bore. Before his arrival in England, it had been generally thought that two Tories would be returned for the metropolitan county. Somers and <sup>1</sup> L'Hermitage, Nov. <sup>5</sup>/<sub>15</sub>, 1695.

Shrewsbury were of opinion that the only way to avert such a misfortune was to conjure with the name of the most virtuous of all the martyrs of English liberty. there was then no law excluding minors from the House of Commons, they entreated Lady Russell to suffer her eldest son, a boy of fifteen, who was about to commence his studies at Cambridge, to be put in nomination. must, they said, drop, for one day, his new title of Marquess of Tavistock, and call himself by his father's honored name, Lord Russell. There will be no expense. There will be no contest. Thousands of gentlemen on horseback will escort him to the hustings: nobody will dare to stand against him, and he will not only come in himself, but bring in another Whig. The widowed mother, in a letter written with all the excellent sense and feeling which distinguished her, refused to sacrifice her son to her party. His education, she said, would be interrupted: his head would be turned: his triumph would be his undoing. Just at this conjuncture the Admiral arrived. He made his appearance before the freeholders of Middlesex assembled on the top of Hampstead Hill, and was returned without opposition.1

Meanwhile several noted malcontents received marks of public disapprobation. Sir John Knight, the most factious and most insolent of those Jacobites who had dishonestly sworn fealty to King William in order to qualify themselves to sit in Parliament, ceased to represent the great city of Bristol. Exeter, the capital of the West, was violently agitated. It had been long

<sup>&#</sup>x27;L'Hermitage, Nov.  $\frac{5}{15}$ ,  $\frac{15}{25}$ , 1695; Sir James Forbes to Lady Russell, Oct. 3, 1695; Lady Russell to Lord Edward Russell; The Postman, Nov. 16, 1695.

supposed that the ability, the eloquence, the experience, the noble descent of Seymour would make it impossible to unseat him. But his moral character, which had never stood very high, had, during the last three or four years, been constantly sinking. He had been virulent in opposition till he had got a place. he had a place he had defended the most unpopular acts of the government. As soon as he was again out of place, he had again been virulent in opposition. saltpetre contract had left a deep stain on his personal honor. Two candidates were therefore brought forward against him; and a contest, the longest and fiercest of that age, fixed the attention of the whole kingdom, and was watched with interest even by foreign governments. The poll was open five weeks. The expense on both sides was enormous. The freemen of Exeter. who, while the election lasted, fared sumptuously every day, were by no means impatient for the termination of their luxurious carnival. They ate and drank heartily: they turned out every evening with good cudgels to fight for Mother Church or for King William: but the votes came in very slowly. It was not till the eve of the meeting of Parliament that the return was made. Seymour was defeated, to his bitter mortification, and was forced to take refuge in the small borough of Totness.1

It is remarkable that, at this election, as at the preceding election, John Hampden failed to obtain a seat. He had, since he ceased to be a member of Parliament, been brooding over his evil fate and his indelible shame, and occasionally venting his spleen in

<sup>1</sup>There is a highly curious account of this contest in the despatches of L'Hermitage.

bitter pamphlets against the government. When the Whigs had become predominant at the Court and in the House of Commons, when Nottingham had retired, when Caermarthen had been impeached, Hampden, it should seem, again conceived the hope that he might play a great part in public life. But the leaders of his party, apparently, did not wish for an ally of so acrimonious and turbulent a spirit. He found himself still excluded from the House of Commons. He led, during a few months, a miserable life, sometimes trying to forget his cares among the well-bred gamblers and frail beauties who filled the drawing-room of the Duchess of Mazarin, and sometimes sunk in religious melancholy. The thought of suicide often rose in his mind. Soon there was a vacancy in the representation of Buckinghamshire, the county which had repeatedly sent himself and his progenitors to Parliament; and he expected that he should, by the help of Wharton, whose dominion over the Buckinghamshire Whigs was absolute, be returned without difficulty. Wharton, however, gave his interest to another candidate. was a final blow. The town was agitated by the news that John Hampden had cut his throat, that he had survived his wound a few hours, that he had professed deep penitence for his sins, had requested the prayers of Burnet, and had sent a solemn warning to the Duchess of Mazarin. A coroner's jury found a verdict of insanity. The wretched man had entered on life with the fairest prospects. He bore a name which was more than noble. He was heir to an ample estate, and to a patrimony much more precious, the confidence and attachment of hundreds of thousands of his countrymen. His own abilities were considerable, and had been carefully cultivated. Unhappily ambition and party spirit impelled him to place himself in a situation full of danger. To that danger his fortitude proved unequal. He stooped to supplications which saved him and dishonored him. From that moment, he never knew peace of mind. His temper became perverse; and his understanding was perverted by his temper. He tried to find relief in devotion and in revenge, in fashionable dissipation and in political turmoil. But the dark shade never passed away from his mind, till, in the twelfth year of his humiliation, his unhappy life was terminated by an unhappy death.<sup>1</sup>

The result of the general election proved that William had chosen a fortunate moment for dissolving. The number of new members was about a hundred and sixty; and most of these were known to be thoroughly well affected to the government.<sup>2</sup>

It was of the highest importance that the House of Commons should at that moment be disposed to coAlarming operate cordially with the King; for it was absolutely necessary to apply a remedy to an internal evil which had by slow degrees grown to a fearful magnitude. The silver coin, which was then the standard coin of the realm, was in a state at which the boldest and most enlightened statesmen stood aghast.<sup>5</sup>

<sup>&</sup>lt;sup>1</sup> Postman, Dec. 15, 17, 1696; Vernon to Shrewsbury, Dec. 13, 15; Narcissus Luttrell's Diary; Burnet, i., 647; Saint Evremond's Verses to Hampden.

<sup>&</sup>lt;sup>2</sup> L'Hermitage, Nov.  $\frac{19}{29}$ , 1695.

<sup>&</sup>lt;sup>3</sup> I have derived much valuable information on this subject from a MS. in the British Museum, Lansdowne Collection, No. 801. It is entitled Brief Memoirs relating to the Silver and

Till the reign of Charles the Second our coin had been struck by a process as old as the thirteenth cen-Edward the First had invited hither skilful artists from Florence, which, in his time, was to London what London, in the time of William the Third, was to Moscow. During many generations, the instruments which were then introduced into our mint continued to be employed with little alteration. The metal was divided with shears, and afterwards shaped and stamped by the hammer. In these operations much was left to the hand and eye of the workman. It necessarily happened that some pieces contained a little more and some a little less than the just quantity of silver: few pieces were exactly round; and the rims were not marked. It was, therefore, in the course of years discovered that to clip the coin was one of the easiest and most profitable kinds of fraud. In the reign of Elizabeth it had been thought necessary to enact that the clipper should be, as the coiner had long been, liable to the penalties of high-treason.1 The practice of paring down money, however, was far too lucrative to be so checked; and, about the time of the Restoration, people began to observe that a large proportion of the crowns, half-crowns, and shillings which were passing from hand to hand had undergone some slight mutilation.

That was a time fruitful of experiments and inventions in all the departments of science. A great improvement in the mode of shaping and striking the

Gold Coins of England, with an Account of the corruption of the Hammered Money, and of the Reform by the late Grand Coinage at the Tower and the Country Mints, by Hopton Haynes, Assay Master of the Mint.

<sup>&</sup>lt;sup>1</sup> Stat. 5 Eliz., c. 11, and 18 Eliz., c. 1. vol. ix.—7.

coin was suggested. A mill, which to a great extent superseded the human hand, was set up in the Tower of London. This mill was worked by horses, and would doubtless be considered by modern engineers as a rude and feeble machine. The pieces which it produced, however, were among the best in Europe. It was not easy to counterfeit them; and, as their shape was exactly circular, and their edges were inscribed with a legend, clipping was not to be apprehended. The hammered coins and the milled coins were current together. They were received without distinction in public, and consequently in private, payments. financiers of that age seem to have expected that the new money, which was excellent, would soon displace the old money, which was much impaired. Yet any man of plain understanding might have known that, when the State treats perfect coin and light coin as of equal value, the perfect coin will not drive the light coin out of circulation, but will itself be driven out. clipped crown, on English ground, went as far in the payment of a tax or a debt as a milled crown. the milled crown, as soon as it had been flung into the crucible or carried across the Channel, became much more valuable than the clipped crown. It might therefore have been predicted, as confidently as anything can be predicted which depends on the human will, that the inferior pieces would remain in the only market in which they could fetch the same price as the superior pieces, and that the superior pieces would take some form or fly to some place in which some advantage could be derived from their superiority.2

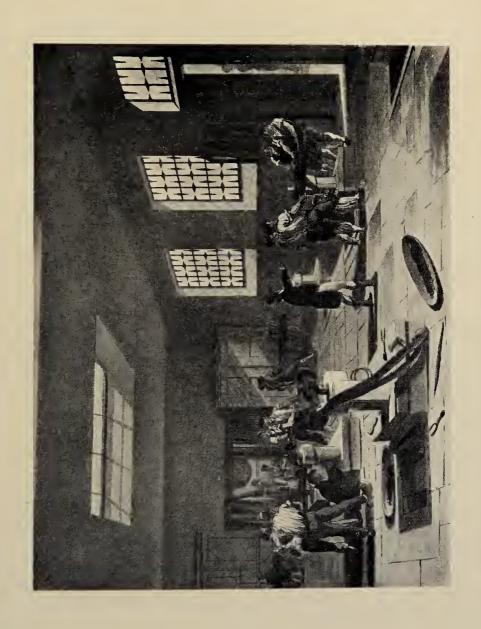
<sup>&</sup>lt;sup>1</sup> Pepys's *Diary*, November 23, 1663.

<sup>&</sup>lt;sup>2</sup> The first writer who noticed the fact that, where good

The Mint, London.

From a design by Rowlandson.







The politicians of that age, however, generally overlooked these very obvious considerations. They marvelled exceedingly that everybody should be so perverse as to use light money in preference to good money. other words, they marvelled that nobody chose to pay twelve ounces of silver when ten would serve the turn. The horse in the Tower still paced his rounds. Fresh wagon-loads of choice money still came forth from the mill; and still they vanished as fast as they appeared. Great masses were melted down; great masses exported; great masses hoarded: but scarcely one new piece was to be found in the till of a shop, or in the leathern bag which the farmer carried home after the cattle-fair. In the receipts and payments of the Exchequer the milled money did not exceed ten shillings in a hundred pounds. A writer of that age mentions

money and bad money are thrown into circulation together, the bad money drives out the good money, was Aristophanes. He seems to have thought that the preference which his fellow-citizens gave to light coins was to be attributed to a depraved taste, such as led them to intrust men like Cleon and Hyperbolus with the conduct of great affairs. But, though his political economy will not bear examination, his verses are excellent:

πολλάκις γ' ἡμῖν ἔδοξεν ἡ πόλις πεπονθέναι
ταὐτον ἔς τε τῶν πολιτῶν τοὺς καλούς τε κάγαθούς
ἔς τε τάρχαῖον νόμισμα καὶ τὸ καινὸν χρυσίον.
οὔτε γὰρ τούτοισιν οὖσιν αὐ κεκιβδηλευμένοις
ἀλλὰ καλλίστοις ἀπάντων, ὡς δοκεῖ, νομισμάτων,
καὶ μόνοις ὀρθῶς κοπεῖσι, καὶ κεκωδωνισμένοις
ἔν τε τοῖς Ἔλλησι καὶ τοῖς βαρβάροισι πανταχοῦ,
χρώμεθ' οὐδέν, ἀλλὰ τούτοις τοῖς πονηροῖς χαλκίοις,
γθές τε καὶ πρώην κοπεῖσι τῷ κακιστῷ κόμματι.
τῶν πολιτῶν θ' οὕς μὲν ἴσμεν εὐγενεῖς καὶ σώφρονας
ἄνδρας ὅντας, καὶ δικαίους, καὶ καλούς τε κάγαθούς,
καὶ τραφέντας ἐν παλαίστραις και χοροῖς και μουσικη,
προυσελοῦμεν · τοῖς δὲ χαλκοῖς, καὶ ξένοις, και πυῥρίαις,
καὶ πονηροῖς, κἀκ πονηρῶν, εἰς ἄπαντα χρώμεθα.

the case of a merchant who, in a sum of thirty-five pounds, received only a single half-crown in milled silver. Meanwhile the shears of the clippers were constantly at work. The coiners, too, multiplied and prospered: for the worse the current money became, the more easily it was imitated. During many years this evil went on increasing. At first it was disregarded: but it at length became an insupportable curse to the country. It was to no purpose that the rigorous laws against coining and clipping were rigorously executed. At every session that was held at the Old Bailey terrible examples were made. Hurdles, with four, five, six wretches convicted of counterfeiting or mutilating the money of the realm, were dragged, month after month, up Holborn Hill. One morning seven men were hanged and a woman burned, for clipping. But all was vain. The gains were such as to lawless spirits seemed more than proportioned to the risks. Some clippers were said to have made great fortunes. One in particular offered six thousand pounds for a pardon. His bribe was indeed rejected: but the fame of his riches did much to counteract the effect which the spectacle of his death was designed to produce.1 Nay, the severity of the punishment gave encouragement to the crime. For the practice of clipping, pernicious as it was, did not excite in the common mind a detestation resembling that with which men regard murder, arson, robbery, even theft. The injury

<sup>&</sup>lt;sup>1</sup> Narcissus Luttrell's *Diary* is filled with accounts of these executions. "Le métier de rogneur de monnoye," says L'Hermitage, "est si lucratif et paroît si facile que, quelque chose qu'on fasse pour les détruire, il s'en trouve toujours d'autres pour prendre leur place. Oct. <sup>1</sup><sub>17</sub>, 1695."

done by the whole body of clippers to the whole society was indeed immense; but each particular act of clipping was a trifle. To pass a half-crown, after paring a pennyworth of silver from it, seemed a minute, an almost imperceptible, fault. Even while the nation was crying out most loudly under the distress which the state of the currency had produced, every individual who was capitally punished for contributing to bring the currency into that state had the general sympathy on his side. Constables were unwilling to arrest the offenders. Justices were unwilling to commit. nesses were unwilling to tell the whole truth. were unwilling to pronounce the word Guilty. The convictions, therefore, numerous as they might seem, were few indeed, when compared with the offences; and the offenders who were convicted looked on themselves as murdered men, and were firm in the belief that their sin, if sin it were, was as venial as that of a school-boy who goes nutting in the wood of a neighbor. All the eloquence of the ordinary could seldom induce them to conform to the wholesome usage of acknowledging in their dying speeches the enormity of their wickedness.1

¹ As to the sympathy of the public with the clippers, see the very curious sermon which Fleetwood, afterward Bishop of Ely, preached before the Lord Mayor in December, 1694. Fleetwood says that "a soft pernicious tenderness slackened the care of magistrates, kept back the under officers, corrupted the juries, and withheld the evidence." He mentions the difficulty of convincing the criminals themselves that they had done wrong. See also a sermon preached at York Castle by George Halley, a clergyman of the Cathedral, to some clippers who were to be hanged the next day. He mentions the impenitent ends which clippers generally made, and does his

The evil proceeded with constantly accelerating velocity. At length, in the autumn of 1695, it could hardly be said that the country possessed, for practical purposes, any measure of the value of commodities. It was a mere chance whether what was called a shilling was really tenpence, sixpence, or a groat. sults of some experiments which were tried at that time deserve to be mentioned. The officers of the Exchequer weighed fifty-seven thousand two hundred pounds of hammered money which had recently been paid in. The weight ought to have been above two hundred and twenty thousand ounces. It proved to be under one hundred and fourteen thousand ounces.1 Three eminent London goldsmiths were invited to send a hundred pounds each in current silver to be tried by the balance. Three hundred pounds ought to have weighed about twelve hundred ounces. The actual weight proved to be six hundred and twenty-four ounces. The same test was applied in various parts of the kingdom. was found that a hundred pounds, which should have weighed about four hundred ounces, did actually weigh at Bristol two hundred and forty ounces, at Cambridge

best to awaken the consciences of his hearers. He dwells on one aggravation of their crime which I should not have thought of. "If," says he, "the same question were to be put in this age, as of old, 'Whose is this image and superscription?' we could not answer the whole. We may guess at the image: but we cannot tell whose it is by the superscription: for that is all gone." The testimony of these two divines is confirmed by that of Tom Brown, who tells a facetious story, which I do not venture to quote, about a conversation between the ordinary of Newgate and a clipper.

<sup>1</sup> Lowndes's Essay for the Amendment of the Silver Coins, 1695.

two hundred and three, at Exeter one hundred and eighty, and at Oxford only one hundred and sixteen.1 There were, indeed, some northern districts into which the clipped money had only begun to find its way. An honest Quaker, who lived in one of these districts. recorded, in some notes which are still extant, the amazement with which, when he travelled southward. shopkeepers and innkeepers stared at the broad and heavy half-crowns with which he paid his way. They asked whence he came, and where such money was to be found. The guinea which he purchased for twentytwo shillings at Lancaster bore a different value at every stage of his journey. When he reached London, it was worth thirty shillings, and would indeed have been worth more had not the government fixed that rate as the highest at which gold should be received in the payment of taxes.<sup>2</sup>

The evils produced by this state of the currency were not such as have generally been thought worthy to occupy a prominent place in history. Yet it may well be doubted whether all the misery which had been inflicted on the English nation in a quarter of a century by bad kings, bad ministers, bad parliaments, and bad judges, was equal to the misery caused in a single year by bad crowns and bad shillings. Those events which furnish the best themes for pathetic or indignant eloquence are not always those which most affect the happiness of the great body of the people. The misgovernment of Charles and James, gross as it had been,

<sup>&</sup>lt;sup>1</sup> L'Hermitage, Nov. 29, 1695.

<sup>&</sup>lt;sup>2</sup> The Memoirs of this Lancashire Quaker were printed a few years ago in a most respectable newspaper, the *Manchester Guardian*.

had not prevented the common business of life from going steadily and prosperously on. While the honor and independence of the State were sold to a foreign power, while chartered rights were invaded, while fundamental laws were violated, hundreds of thousands of quiet, honest, and industrious families labored and traded, ate their meals and lay down to rest, in comfort and security. Whether Whigs or Tories, Protestants or Tesuits were uppermost, the grazier drove his beasts to market: the grocer weighed out his currants: the draper measured out his broadcloth: the hum of buyers and sellers was as loud as ever in the towns: the harvest-home was celebrated as joyously as ever in the hamlets: the cream overflowed the pails of Cheshire: the apple-juice foamed in the presses of Herefordshire: the piles of crockery glowed in the furnaces of the Trent: and the barrows of coal rolled fast along the timber railways of the Tyne. But when the great instrument of exchange became thoroughly deranged, all trade, all industry, were smitten as with a palsy. The evil was felt daily and hourly in almost every place and by almost every class, in the dairy and on the threshing-floor, by the anvil and by the loom, on the billows of the ocean and in the depths of the mine. Nothing could be purchased without a dispute. Over every counter there was wrangling from morning to The workman and his employer had a quarrel as regularly as the Saturday came round. On a fair-day or a market-day the clamors, the reproaches, the taunts, the curses, were incessant: and it was well if no booth was overturned and no head broken. No merchant would contract to deliver goods without making some stipula-

1 Lowndes's Essay.

tion about the quality of the coin in which he was to be paid. Even men of business were often bewildered by the confusion into which all pecuniary transactions were thrown. The simple and the careless were pillaged without mercy by extortioners whose demands grew even more rapidly than the money shrank. The price of the necessaries of life, of shoes, of ale, of oatmeal, rose fast. The laborer found that the bit of metal, which, when he received it, was called a shilling. would hardly, when he wanted to purchase a pot of beer or a loaf of rye-bread, go as far as sixpence. Where artisans of more than usual intelligence were collected in great numbers, as in the dock-yard at Chatham, they were able to make their complaints heard and to obtain some redress.1 But the ignorant and helpless peasant was cruelly ground between one class which would give money only by tale, and another which would take it only by weight. Yet his sufferings hardly exceeded those of the unfortunate race of authors. Of the way in which obscure writers were treated we may easily form a judgment from the letters, still extant, of Dryden to his bookseller Tonson. One day Tonson sends forty brass shillings, to say nothing of clipped money. Another day he pays a debt with pieces so bad that none of them will go. The great poet sends them all back, and demands in their place guineas at twenty-nine shillings each. expect," he says in one letter, "good silver-not such as I have had formerly." "If you have any silver that will go," he says in another letter, "my wife will be glad of it. I lost thirty shillings or more by the last

<sup>&</sup>lt;sup>1</sup> L'Hermitage, <sup>Dec. 24</sup>, 1695.

payment of fifty pounds." These complaints and demands, which have been preserved from destruction only by the eminence of the writer, are doubtless merely a fair sample of the correspondence which filled all the mail-bags of England during several months.

In the midst of the public distress one class prospered greatly—the bankers; and among the bankers none could in skill or in luck bear a comparison with Charles Duncombe. He had been, not many years before, a goldsmith of very moderate wealth. He had probably, after the fashion of his craft, plied for customers under the arcades of the Royal Exchange, had saluted merchants with profound bows, and had begged to be allowed the honor of keeping their cash. But so dexterously did he now avail himself of the opportunities of profit which the general confusion of prices gave to a money-changer that, at the moment when the trade of the kingdom was depressed to the lowest point, he

<sup>1</sup> Allusions to the state of the currency abound in the essays, plays, and poems, which appeared about this time. I will give two or three specimens. Dryden, in the dedication of his translation of the Aneid, complains that he had completely exhausted his vocabulary in order to meet the demands of the original. "What," he says, "had become of me, if Virgil had taxed me with another book! I had certainly been reduced to pay the public in hammered money, for want of milled." In Cibber's Comedy, entitled Love's Last Shift, or the Fool in Fashion, a gay young gentleman says: "Virtue is as much debased as our money; and, faith, Dei Gratia is as hard to be found in a girl of sixteen as round the brim of an old shilling." Blackmore's Satire on Wit is nothing but a clumsy allegory, in which our literature is typified by coin so much impaired that it must be called in, thrown into the melting-pot, and restamped.

laid down near ninety thousand pounds for the estate of Helmsley, in the North Riding of Yorkshire. great property had, in a troubled time, been bestowed by the Commons of England on their victorious general, Fairfax, and had been part of the dower which Fairfax's daughter had brought to the brilliant and dissolute Buckingham. Thither Buckingham, having wasted in mad intemperance, sensual and intellectual, all the choicest bounties of nature and of fortune, had carried the feeble ruins of his fine person and of his fine mind; and there he had closed his checkered life under that humble roof and on that coarse pallet which the great satirist of the succeeding generation described in immortal verse. The spacious domain passed to a new race; and in a few years a palace more splendid and costly than had ever been inhabited by the magnificent Villiers rose amidst the beautiful woods and waters which had been his, and was called by the once humble name of Duncombe.

Since the Revolution the state of the currency had been repeatedly discussed in Parliament. In 1689 a committee of the Commons had been appointed to investigate the subject, but had made no report. In 1690 another committee had reported that immense quantities of silver were carried out of the country by Jews, who, it was said, would do anything for profit. Schemes were formed for encouraging the importation and discouraging the exportation of the precious metals. One foolish bill after another was brought in and dropped. At length, in the beginning of the year 1695, the question assumed so serious an aspect that the Houses applied themselves to it in earnest. The only practical result of their deliberations, however,

was a new penal law which, it was hoped, would prevent the clipping of the hammered coin and the melting and exporting of the milled coin. It was enacted that every person who informed against a clipper should be entitled to a reward of forty pounds, that every clipper who informed against two clippers should be entitled to a pardon, and that whoever should be found in possession of silver filings or parings should be burned in the cheek with a red-hot iron. Certain officers were empowered to search for bullion. If bullion were found in a house or on board of a ship, the burden of proving that it had never been part of the money of the realm was thrown on the owner. If he failed in making out a satisfactory history of every ingot, he was liable to severe penalties. This act was, as might have been expected, altogether ineffective. During the following summer and autumn, the coins went on dwindling, and the cry of distress from every county in the realm became louder and more piercing.

But, happily for England, there were among her rulers some who clearly perceived that it was not by halters and branding-irons that her decaying industry and commerce could be restored to health. The state of the currency had during some time occupied the serious attention of four eminent men closely connected by public and private ties. Two of them were politicians who had never, in the midst of official and parliamentary business, ceased to love and honor philosophy; and two were philosophers, in whom habits of abstruse meditation had not impaired the homely good-sense without which even genius is mischievous in politics. Never had there been an occasion which more urgently required both practical and speculative

abilities; and never had the world seen the highest practical and the highest speculative abilities united in an alliance so close, so harmonious, and so honorable as that which bound Somers and Montague to Locke and Newton.

It is much to be lamented that we have not a minute history of the conferences of the men to whom England owed the restoration of her currency and the long series of prosperous years which dates from that restoration. It would be interesting to see how the pure gold of scientific truth found by the two philosophers was mingled by the two statesmen with just that quantity of alloy which was necessary for the working. It would be curious to study the many plans which were propounded, discussed, and rejected, some as inefficacious, some as unjust, some as too costly, some as too hazardous, till at length a plan was devised of which the wisdom was proved by the best evidence, complete success.

Newton has left to posterity no exposition of his opinions touching the currency. But the tracts of Locke on this subject are happily still extant; and it may be doubted whether in any of his writings, even in those ingenious and deeply meditated chapters on language which forms, perhaps, the most valuable part of the Essay on the Human Understanding, the force of his mind appears more conspicuously. Whether he had ever been acquainted with Dudley North is not known. In moral character the two men bore little resemblance to each other. They belonged to different parties. Indeed, had not Locke taken shelter from tyranny in Holland, it is by no means impossible that he might have been sent to Tyburn by a jury which

Dudley North had packed. Intellectually, however, there was much in common between the Tory and the Whig. They had laboriously thought out, each for himself, a theory of political economy, substantially the same with that which Adam Smith afterward expounded. Nay, in some respects the theory of Locke and North was more complete and symmetrical than that of their illustrious successor. Adam Smith has often been justly blamed for maintaining, in direct opposition to all his own principles, that the rate of interest ought to be regulated by the State; and he is the more blamable because, long before he was born, both Locke and North had taught that it was as absurd to make laws fixing the price of money as to make laws fixing the price of cutlery or of broadcloth.

Dudley North died in 1693. A short time before his death he published, without his name, a small tract which contains a concise sketch of a plan for the restoration of the currency. This plan appears to have been substantially the same with that which was afterward fully developed and ably defended by Locke.

One question, which was doubtless the subject of many anxious deliberations, was whether anything should be done while the war lasted. In whatever way the restoration of the coin might be effected, great sacrifices must be made, either by the whole community or by a part of the community. And to call for such sacrifices at a time when a nation was already

<sup>&</sup>lt;sup>1</sup> It ought always to be remembered, to Adam Smith's honor, that he was entirely converted by Bentham's *Defence of Usury*, and that he acknowledged, with candor worthy of a true philosopher, that the doctrine laid down in *The Wealth of Nations* was erroneous.

Residence of Sir Isaac Newton, St. Martin's Street, London.

Redrawn from the "European Magazine."







paying taxes such as, ten years before, no financier would have thought it possible to raise, was undoubtedly a course full of danger. Timorous politicians were for delay: but the deliberate conviction of the great Whig leaders was that something must be hazarded, or that everything was lost. Montague, in particular, is said to have expressed in strong language his determination to kill or cure. If, indeed, there had been any hope that the evil would merely continue to be what it was, it might have been wise to defer till the return of peace an experiment which must severely try the strength of the body politic. But the evil was one which daily made progress almost visible to the eve. There might have been a recoinage in 1694 with half the risk which must be run in 1696; and, great as would be the risk in 1696, that risk would be doubled if the recoinage were postponed till 1698.

Those politicians whose voice was for delay gave less trouble than another set of politicians, who were for a general and immediate recoinage, but who insisted that the new shilling should be worth only ninepence or ninepence-half-penny. At the head of this party was William Lowndes, Secretary of the Treasury, and member of Parliament for the borough of Seaford, a most respectable and industrious public servant, but much more versed in the details of his office than in the higher parts of political philosophy. He was not in the least aware that a piece of metal with the King's head on it was a commodity of which the price was governed by the same laws which govern the price of a piece of metal fashioned into a spoon or a buckle, and that it was no more in the power of Parliament to make the kingdom richer by calling a crown a pound than to make the kingdom larger by calling a furlong a mile. He seriously believed, incredible as it may seem, that, if the ounce of silver were divided into seven shillings instead of five, foreign nations would sell us their wines and their silks for a smaller number of ounces. had a considerable following, composed partly of dull men who really believed what he told them, and partly of shrewd men who were perfectly willing to be authorized by law to pay a hundred pounds with eighty. Had his arguments prevailed, the evils of a vast confiscation would have been added to all the other evils which afflicted the nation: public credit, still in its tender and sickly infancy, would have been destroyed; and there would have been much risk of a general mutiny of the fleet and army. Happily Lowndes was completely refuted by Locke in a paper drawn up for the use of Somers. Somers was delighted with this little treatise and desired that it might be printed. It speedily became the text-book of all the most enlightened politicians in the kingdom, and may still be read with pleasure and profit. The effect of Locke's forcible and perspicuous reasoning is greatly heightened by his evident anxiety to get at the truth, and by the singularly generous and graceful courtesy with which he treats an antagonist of powers far inferior to his own. Flamsteed, the Astronomer Royal, described the controversy well by saying that the point in dispute was whether five was six or only five.1

Thus far Somers and Montague entirely agreed with

<sup>&</sup>lt;sup>1</sup>Lowndes's Essay for the Amendment of the Silver Coins; Locke's Further Considerations Concerning Raising the Value of Money; Locke to Molyneux, Nov. 20, 1695; Molyneux to Locke, Dec. 24, 1695.

Locke but as to the manner in which the restoration of the currency ought to be effected there was some difference of opinion. Locke recommended, as Dudley North had recommended, that the King should by proclamation fix a near day after which the hammered money should in all payments pass only by weight. The advantages of this plan were doubtless great and obvious. It was most simple, and, at the same time, What searching, fining, branding, most efficient. hanging, burning, had failed to do would be done in an instant. The clipping of the hammered pieces, the melting of the drilled pieces, would cease. Great quantities of good coin would come forth from secret drawers and from behind the panels of wainscots. The mutilated silver would gradually flow into the mint, and would come forth again in a form which would make mutilation impossible. In a short time the whole currency of the realm would be in a sound state; and, during the progress of this great change, there would never at any moment be any scarcity of money.

These were weighty considerations; and to the joint authority of North and Locke on such a question great respect is due. Yet it must be owned that their plan was open to one serious objection, which did not, indeed, altogether escape their notice, but of which they seem to have thought too-lightly. The restoration of the currency was a benefit to the whole community. On what principle, then, was the expense of restoring the currency to be borne by a part of the community? It was most desirable, doubtless, that the words pound and shilling should again have a fixed signification, that every man should know what his contracts meant and what his property was worth. But was it just to

attain this excellent end by means of which the effect would be that every farmer who had put by a hundred pounds to pay his rent, every trader who had scraped together a hundred pounds to meet his acceptances, would find his hundred pounds reduced in a moment to fifty or sixty? It was not the fault of such a farmer or of such a trader that his crowns and half-crowns were not of full weight. The government itself was to blame. The evil which the State had caused the State was bound to repair; and it would evidently have been wrong to throw the charge of the reparation on a particular class, merely because that class was so situated that it could conveniently be pillaged. It would have been as reasonable to require the timber merchants to bear the whole cost of fitting out the Channel fleet, or the gunsmiths to bear the whole cost of supplying arms to the regiments in Flanders, as to restore the currency of the kingdom at the expense of those individuals in whose hands the clipped silver happened at a particular moment to be.

Locke declared that he lamented the loss which, if his advice were taken, would fall on the holders of the short money. But it appeared to him that the nation must make a choice between evils. And, in truth, it was much easier to lay down the general proposition that the expenses of restoring the currency ought to be borne by the public than to devise any mode in which they could without extreme inconvenience and danger be so borne. Was it to be announced that every person who should, within a term of a year or half a year, carry to the mint a clipped crown should receive in exchange for it a milled crown, and that the difference between the value of the two pieces should be made

good out of the public purse? That would be to offer a premium for clipping. The shears would be more busy than ever. The short money would every day become shorter. The difference which the taxpayers would have to make good would probably be greater by a million at the end of the term than at the begining: and the whole of this million would go to reward malefactors. If only a very short time were allowed for the bringing in of the hammered coin, the danger of further clipping would be reduced to little or nothing: but another danger would be incurred. The silver would flow into the mint so much faster than it could possibly flow out, that there must during some months be a grievous scarcity of money.

A singularly bold and ingenious expedient occurred to Somers and was approved by William. It was that a proclamation should be prepared with great secrecy, and published at once in all parts of the kingdom. This proclamation was to announce that hammered coins would thenceforth pass only by weight. every possessor of such coins was to be invited to deliver them up within three days, in a sealed packet, to the public authorities. The coins were to be examined, numbered, weighed, and returned to the owner with a promissory note entitling him to receive from the Treasury at a future time the difference between the actual quantity of silver in his pieces and the quantity of silver which, according to the standard, those pieces ought to have contained.1 Had this plan been adopted, an immediate stop would have been put to the clipping, the melting, and the exporting; and the expense of the restoration of the currency would have been borne, as

<sup>&</sup>lt;sup>1</sup> Burnet, ii., 147.

was right, by the public. The inconvenience arising from a scarcity of money would have been of very short duration: for the mutilated pieces would have been detained only till they could be told and weighed: they would then have been sent back into circulation; and the recoinage would have taken place gradually, and without any perceptible suspension or disturbance But against these great advantages were to be set off great hazards. The mutilated pieces would not, indeed, have been long detained. But they must all have been detained at once: or the same coin would have been presented in several places; and the public would thus have been cheated to an immense extent. During three or four days the country would have been absolutely in a state of barter. And what tumults, what rebellions, might not three or four such days produce? To incur such danger without the previous sanction of Parliament was to run the risk of censure. impeachment, imprisonment, ruin. The King and the Lord Keeper were alone in the Council. Even Montague quailed; and it was determined to do nothing without the authority of the legislature. Montague undertook to submit to the Commons a scheme, which was not, indeed, without dangers and inconveniences, but which was probably the best which he could hope to carry.

On the twenty-second of November the Houses met. Foley was on that day again chosen Speaker. On the following day he was presented and approved. The King opened the session with ment: loyalty a speech very skilfully framed. He congrated the House of Commons.

ulated his hearers on the success of the campaign on the Continent. That success he

attributed, in language which must have gratified their feelings, to the bravery of the English army. He spoke of the evils which had arisen from the deplorable state of the coin, and of the necessity of applying a speedy remedy. He intimated very plainly his opinion that the expense of restoring the currency ought to be borne by the State: but he declared that he referred the whole matter to the wisdom of his Great Council. Before he concluded, he addressed himself particularly to the newly elected House of Commons, and warmly expressed his approbation of the excellent choice which his people had made. The speech was received with a low but very significant hum of assent both from above and from below the bar, and was as favorably received by the public as by the Parliament. In the Commons an address of thanks was moved by Wharton, faintly opposed by Musgrave, adopted without a division, and carried up by the whole House to Kensington. At the palace, the lovalty of the crowd of gentlemen showed itself in a way which would now be thought hardly consistent with senatorial gravity. When refreshments were handed round in the antechamber, the Speaker filled his glass, and proposed two toasts, the health of King William, and confusion to King Lewis; and both were drunk with loud acclamations. Yet near observers could perceive that, though the representatives of the nation were as a body zealous for civil liberty and for the Protestant religion, and though they were prepared to endure everything rather than see their country again reduced to vassalage, they were auxious and

<sup>&</sup>lt;sup>1</sup> Commons' Journals, Nov. 22, 23, 26, 1695; L'Hermitage, Nov. 26.
Dec. 6.

dispirited. All were thinking of the state of the coin: all were saying that something must be done; and all acknowledged that they did not know what could be done. "I am afraid," said a member, who expressed what many felt, "that the nation can bear neither the disease nor the cure."

There was, indeed, a minority by which the difficulties and dangers of the country were seen with malignant delight; and of that minority the keenest, boldest, and most factious leader was Howe, whom poverty had made more acrimonious than ever. He moved that the House should resolve itself into a Committee on the State of the Nation: and the Ministry—for that word may now with propriety be used—readily consented. Indeed, the great question touching the currency could not be brought forward more conveniently than in such a committee. When the Speaker had left the chair, Howe harangued against the war as vehemently as he had in former years harangued for it. He called for peace, peace on any terms. The nation, he said, resembled a wounded man, fighting desperately on, with blood flowing in torrents. During a short time the spirit might bear up the frame: but faintness must soon come on. No moral energy could long hold out against physical exhaustion. He found very little support. The great majority of his hearers were fully determined to put everything to hazard rather than submit to France. It was sneeringly remarked that the state of his own finances had suggested to him the image of a man bleeding to death, and that, if a cordial

<sup>&</sup>lt;sup>1</sup> Commons' Journals, Nov. 26, 27, 28, 29, 1695; L'Hermitage, Nov. 26, Nov. 26, Nov. 29, Dec. 3.

Dec. 6, Dec. 9, Dec. 3.

were administered to him in the form of a salary, he would trouble himself little about the drained veins of the commonwealth. "We did not," said the Whig orators, "degrade ourselves by suing for peace when our flag was chased out of our own Channel, when Tourville's fleet lay at anchor in Torbay, when the Irish nation was in arms against us, when every post from the Netherlands brought news of some disaster, when we had to contend against the genius of Louvois in the cabinet and of Luxemburg in the field. And are we to turn suppliants now, when no hostile squadron dares to show itself even in the Mediterranean, when our arms are victorious on the Continent, when God has removed the great statesman and the great soldier whose abilities long frustrated our efforts, and when the weakness of the French administration indicates, in a manner not to be mistaken, the ascendency of a female favorite?" Howe's suggestion was contemptuously rejected; and the Committee proceeded to take into consideration the state of the currency.1

Meanwhile the newly liberated presses of the capital never rested a moment. Innumerable pamphlets and controversy broadsides about the coin lay on the count-touching the ers of the booksellers, and were thrust into the hands of members of Parliament in the lobby. In one of the most curious and amusing of these pieces Lewis and his ministers are introduced, expressing the greatest alarm lest England should make herself the richest country in the world by the simple expedient of calling a ninepence a shilling, and confidently predicting that, if the old standard were

<sup>&</sup>lt;sup>1</sup> Commons' Journals, Nov. 28, 29, 1695; L'Hermitage, Dec. <sup>3</sup>

maintained, there would be another revolution. Some writers vehemently objected to the proposition that the public should bear the expense of restoring the currency: some urged the government to take this opportunity of assimilating the money of England to the money of neighboring nations: one projector was for coining guilders; another for coining dollars.

Within the walls of Parliament the debates continued during several anxious days. At length Montague, after defeating, first those who were for lettary proceeding things remain unaltered till the peace, ings touching and then those who were for the little shilthe currency. ling, carried eleven resolutions in which the outlines of his own plan were set forth. It was resolved that the money of the kingdom should be recoined according to the old standard both of weight and fineness; that all the new pieces should be milled; that the loss on the clipped pieces should be borne by the public; that a time should be fixed after which no clipped money should pass, except in payments to the

¹L'Hermitage, Nov. 22, Dec. 8/16, 1695; An Abstract of the Consultations and Debates between the French King and his Council concerning the new Coin that is intended to be made in England, privately sent by a Friend of the Confederates from the French Court to his Brother at Brussels, Dec. 12, 1695; A Discourse of the General Notions of Money, Trade, and Exchanges, by Mr. Clement, of Bristol; A Letter from an English Merchant at Amsterdam to his Friend in London; A Fund for Preserving and Supplying our Coin; An Essay for Regulating the Coin, by A.V.; A Proposal for Supplying His Majesty with 1,200,000l., by mending the Coin, and yet Preserving the Ancient Standard of the Kingdom. These are a few of the tracts which were distributed among members of Parliament at this conjuncture.

government; and that a later time should be fixed, after which no clipped money should pass at all. What divisions took place in the Committee cannot be ascertained. When the resolutions were reported there was one division. It was on the question whether the old standard of weight should be maintained. The Noes were a hundred and fourteen; the Ayes two hundred and twenty-five.

It was ordered that a bill founded on the resolutions should be brought in. A few days later the Chancellor of the Exchequer explained to the Commons, in a Committee of Ways and Means, the plan by which he proposed to meet the expense of the recoinage. It was impossible to estimate with precision the charge of making good the deficiencies of the clipped money. But it was certain that at least twelve hundred thousand pounds would be required. Twelve hundred thousand pounds the Bank of England undertook to advance on good security. It was a maxim received among financiers that no security which the government could offer was so good as the old hearth-money had been. That tax, odious as it was to the great majority of those who paid it, was remembered with regret at the Treasury and in the City. It occurred to the Chancellor of the Exchequer that it might be possible to devise an impost on houses, which might be not less productive nor less certain than the hearth-money, but which might press less heavily on the poor, and might be collected by a less vexatious process. number of hearths in a house could not be ascertained without domiciliary visits. The windows a collector

<sup>&</sup>lt;sup>1</sup> Commons' Journals, Dec. 10, 1695; L'Hermitage, Dec.  $\frac{3}{18}$ ,  $\frac{6}{16}$ ,  $\frac{10}{20}$ .

might count without passing the threshold. Montague proposed that the inhabitants of cottages, who had been cruelly harassed by the chimney-men, should be altogether exempted from the new duty. His plan was approved by the Committee of Ways and Means, and was sanctioned by the House without a division. Such was the origin of the window-tax, a tax which, though doubtless a great evil, must be considered as a blessing when compared with the curse from which it was the means of rescuing the nation.<sup>1</sup>

Thus far things had gone smoothly. But now came a crisis which required the most skilful steering. news that the Parliament and the government were determined on a reform of the currency produced an ignorant panic among the common people. Every man wished to get rid of his clipped crowns and half-crowns. No man liked to take them. There were brawls approaching to riots in half the streets of London. Jacobites, always full of joy and hope in a day of adversity and public danger, ran about with eager looks and noisy tongues. The health of King James was publicly drunk in taverns and on ale-benches. members of Parliament, who had hitherto supported the government, began to waver; and, that nothing might be wanting to the difficulties of the conjuncture, a dispute on a point of privilege arose between the The Recoinage Bill, framed in conformity with Montague's resolutions, had gone up to the Peers. and had come back with amendments, some of which, in the opinion of the Commons, their Lordships had no right to make. The emergency was too serious to admit of delay. Montague brought in a new bill, which

<sup>&</sup>lt;sup>1</sup> Commons' Journals, Dec. 13, 1695.

was, in fact, his former bill modified in some points to meet the wishes of the Lords: the Lords, though not perfectly contented with the new bill, passed it without any alteration; and the royal assent was immediately given. The fourth of May, a date long remembered over the whole kingdom and especially in the capital, was fixed as the day on which the government would cease to receive the clipped money in payment of taxes.<sup>1</sup>

The principles of the Recoinage Act are excellent. But some of the details, both of that act and of a supplementary act which was passed at a later period of the session, seem to prove that Montague had not fully considered what legislation can, and what it cannot, effect. For example, he persuaded the Parliament to enact that it should be penal to give or take more than twentytwo shillings for a guinea. It may be confidently affirmed that this enactment was not suggested or approved by Locke. He well knew that the high price of gold was not the evil which afflicted the State, but merely a symptom of that evil, and that a fall in the price of gold would inevitably follow, and could by no human power or ingenuity be made to precede, the recoinage of the silver. In fact, the penalty seemed to have produced no effect whatever. Till the milled silver was in circulation, the guinea continued, in spite of the law,

¹ Stat. 7 Gul. 3, c. 1.; Lords' and Commons' Journals; L'Hermitage, Dec. 31. Jan. 7/17, 10/20, 14, 1696. L'Hermitage describes in strong language the extreme inconvenience caused by the dispute between the Houses: "La longeur qu'il y a dans cette affaire est d'autant plus désagréable qu'il n'y a point de sujet sur lequel le peuple en général puisse souffrir plus d'incommodité, puisqu'il n'y a personne qui, à tous moments, n'aye occasion de l'esprouver."

to pass for thirty shillings. When the milled silver became plentiful, the price of the guinea fell; and the fall did not stop at twenty-two shillings, but continued till it reached twenty-one shillings and sixpence.

Early in February the panic which had been caused by the first debates on the currency subsided; and, from that time till the fourth of May, the want of money was not very severely felt. The recoinage began. Ten furnaces were erected in a garden behind the Treasury, which was then a part of Whitehall, and which lay between the Banqueting-house and the river. Every day huge heaps of pared and defaced crowns and shillings were here turned into massy ingots, which were instantly sent off to the mint in the Tower.<sup>2</sup>

With the fate of the law which restored the currency was closely connected the fate of another law, which had been several years under the consider
Passing of the Act regulating Trials in warm disputes between the hereditary and cases of Hightreason.

The session had scarcely commenced when the Bill for regulating Trials in cases of High-treason was again laid on the table of the Commons. Of the de-

¹ That Locke was not a party to the attempt to make gold cheaper by penal laws, I infer from a passage in which he notices Lowndes's complaints about the high price of guineas. "The only remedy," says Locke, "for that mischief, as well as a great many others, is the putting an end to the passing of clipp'd money by tale."—Locke's Further Considerations. That the penalty proved, as might have been expected, inefficacious, appears from several passages in the despatches of L'Hermitage, and even from Haynes's Brief Memoires, though Haynes was a devoted adherent of Montague.

<sup>&</sup>lt;sup>2</sup> L'Hermitage, Jan. <sup>14</sup>/<sub>24</sub>, 1696.

bates which followed nothing is known except one interesting circumstance which has been preserved by Among those who supported the bill appeared conspicuous a young Whig of high rank, of ample fortune, and of great abilities, which had been assiduously improved by study. This was Anthony Ashley Cooper, Lord Ashley, eldest son of the second Earl of Shaftesbury, and grandson of that renowned politician who had, in the days of Charles the Second, been at one time the most unprincipled of ministers, and at another the most unprincipled of demagogues. Ashley had just been returned to Parliament for the borough of Poole, and was in his twenty-fifth year. the course of his speech he faltered, stammered, and seemed to lose the thread of his reasoning. House, then, as now, indulgent to novices, and then, as now, well aware that, on a first appearance the hesitation which is the effect of modesty and sensibility is quite as promising a sign as volubility of utterance and ease of manner, encouraged him to proceed. can I, sir," said the young orator, recovering himself, "produce a stronger argument in favor of this bill than my own failure? My fortune, my character, my life, are not at stake. I am speaking to an audience whose kindness might well inspire me with courage. And vet, from mere nervousness, from mere want of practice in addressing large assemblies, I have lost my recollection: I am unable to go on with my argument. How helpless, then, must be a poor man who, never having opened his lips in public, is called upon to reply, without a moment's preparation, to the ablest and most experienced advocates in the kingdom, and whose faculties are paralyzed by the thought that, if he fails

to convince his hearers, he will in a few hours die on the gallows, and leave beggary and infamy to those who are dearest to him!" It may reasonably be suspected that Ashley's confusion and the ingenius use which he made of it had been carefully premeditated. His speech, however, made a great impression, and probably raised expectations which were not fulfilled. His health was delicate: his taste was refined even to fastidiousness: he soon left politics to men whose bodies and minds were of coarser texture than his own, gave himself up to mere intellectual luxury, lost himself in the mazes of the old Academic philosophy, and aspired to the glory of reviving the old Academic eloquence. His diction, affected and florid, but often singularly beautiful and melodious, fascinated many young enthusiasts. He had not merely disciples, but worshippers. His life was short: but he lived long enough to become the founder of a new sect of English freethinkers, diametrically opposed in opinions and feelings to that sect of freethinkers of which Hobbes was the oracle. During many years the Characteristics continued to be the Gospel of romantic and sentimental unbelievers, while the Gospel of cold-blooded and hardheaded unbelievers was the Leviathan.1

The bill, so often brought in and so often lost, went through the Commons without a division, and was carried up to the Lords. It soon came back with the long disputed clause altering the constitution of the Court of the Lord High Steward. A strong party

<sup>&</sup>lt;sup>1</sup> A remarkable instance of the fascinating effect which Shaftesbury's eloquence produced on young and ardent minds will be found in the autobiography of Cowper's friend and spiritual guide, John Newton.

among the representatives of the people was still unwilling to grant any new privilege to the nobility: but the moment was critical. The misunderstanding which had arisen between the Houses touching the Recoinage Bill had produced inconveniences which might well alarm even a bold politician. It was necessary to purchase concession by concession. The Commons, by a hundred and ninety-two votes to a hundred and fifty, agreed to the amendment on which the Lords had, during four years, so obstinately insisted; and the Lords in return immediately passed the Recoinage Bill without any amendment.

There had been much contention as to the time at which the new system of procedure in cases of high-treason should come into operation; and the bill had once been lost in consequence of a dispute on this point. Many persons were of opinion that the change ought not to take place till the close of the war. It was notorious, they said, that the foreign enemy was abetted by many traitors at home; and, at such a time, the severity of the laws which protected the commonwealth against the machinations of bad citizens ought not to be relaxed. It was at last determined that the new regulations should take effect on the twenty-fifth of March, the first day, according to the old Calendar, of the year 1696.

On the twenty-first of January the Recoinage Bill and the Bill for regulating Trials in cases of High-treason received the royal assent. On the following day the Commons repaired to Kensington on an errand by no means agreeable either to themselves or to the King. They were, as a body, fully resolved to support him, at whatever cost and at whatever

hazard, against every foreign and domestic foe. But they were, as indeed every assembly of five hundred and thirteen English gentlemen that could ary proceed- by any process have been brought together ings touching must have been, jealous of the favor which Crown-lands he showed to the friends of his youth. had set his heart on placing the House of in Wales to Portland. Bentinck on a level in wealth and dignity with the houses of Howard and Seymour, of Russell and Cavendish. Some of the fairest hereditary domains of the crown had been granted to Portland, not without murmuring on the part both of Whigs and Tories. Nothing had been done, it is true, which was not in conformity with the letter of the law and with a long series of precedents. Every English sovereign had, from time immemorial, considered the lands to which he had succeeded in virtue of his office as his private property. Every family that had been great in England, from the De Veres down to the Hydes, had been enriched by royal deeds of gifts. Charles the Second had carved ducal estates for his bastards out of his hereditary domain. Nor did the Bill of Rights contain a word which could be construed to mean that the King was not at perfect liberty to alienate the manors and forests of the crown. At first, therefore, William's liberality to his countrymen, though it caused much discontent, called forth no remonstrance from the Parliament. But he at length went too far. he ordered the Lords of the Treasury to make out a warrant granting to Portland a magnificent estate in Denbighshire. This estate was said to be worth more than a hundred thousand pounds. The annual income, therefore, can hardly have been less that six

thousand pounds; and the annual rent which was reserved to the crown was only six-and-eightpence. This, however, was not the worst. With the property were inseparably connected extensive royalties, which the people of North Wales could not patiently see in the hands of any subject. More than a century before Elizabeth had bestowed a part of the same territory on her favorite Leicester. On that occasion the population of Denbighshire had risen in arms; and, after much tumult and several executions, Leicester had thought it advisable to resign his mistress's gift back to her. The opposition to Portland was less violent. but not less effective. Some of the chief gentlemen of the principality made strong representations to the ministers through whose offices the warrant had to pass, and at length brought the subject under the consideration of the Lower House. An address was unanimously voted requesting the King to stop the grant: Portland begged that he might not be the cause of a dispute between his master and the Parliament; and the King, though much mortified, yielded to the general wish of the nation.1

This unfortunate affair, though it terminated without an open quarrel, left much sore feeling. The King was angry with the Commons, and still more angry

<sup>1</sup> Commons' Journals, Jan. 14, 17, 23, 1696; L'Hermitage, Jan.  $\frac{14}{24}$ ; Gloria Cambriæ, or Speech of a Bold Briton against a Dutch Prince of Wales, 1702; Life of the Late Honorable Robert Price, &c., 1734. Price was the bold Briton whose speech—never, I believe, spoken—was printed in 1702. He would have better deserved to be called bold if he had published his impertinence while William was living. The Life of Price is a miserable performance, full of blunders and anachronisms.

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with the Whig ministers who had not ventured to defend his grant. The loyal affection which the Parliament had testified to him during the first days of the session had perceptibly cooled; and he was almost as unpopular as he had ever been when an event took place which suddenly brought back to him the hearts of millions, and made him for a time as much the idol of the nation as he had been at the end of 1688.

The plan of assassination which had been formed in the preceding spring had been given up in consequence of William's departure for the Continent. Two Jacobite The plan of insurrection which had been formed in the summer had been given up for want of help from France. But before the end of the autumn both plans were resumed. William had returned to England; and the possibility of getting rid of him by a lucky shot or stab was again seriously discussed. The French troops had gone into winterquarters; and the force, which Charnock had in vain demanded while war was raging round Namur, might now be spared without inconvenience. Now, therefore, a plot was laid, more formidable than any that had yet threatened the throne and the life of William: or rather, as has more than once happened in our history, two plots were laid, one within the other. The object of the greater plot was an open insurrection, an insurrection which was to be supported by a foreign army. In this plot, almost all the Jacobites of note were more or less concerned. Some laid in arms: some bought

<sup>&</sup>lt;sup>1</sup> L'Hermitage mentions the unfavorable change in the temper of the Commons; and William alludes to it repeatedly in his letters to Heinsius, Jan.  $\frac{21}{81}$ , 1696,  $\frac{\text{Jan. 28}}{\text{Feb. 7}}$ .

horses: some made lists of the servants and tenants in whom they could place firm reliance. The less warlike members of the party could at least take off bumpers to the King over the water, and intimate by significant shrugs and whispers that he would not be over the water long. It was universally remarked that the malcontents looked wiser than usual when they were sober, and bragged more loudly than usual when they were drunk. To the smaller plot, of which the object was the murder of William, only a few select traitors were privy.

Each of these plots was under the direction of a leader specially sent from Saint Germains. The more honorable mission was intrusted to Berwick.

He was charged to communicate with the Jacobite nobility and gentry, to ascertain what force they could bring into the field, and to fix a time for the rising. He was authorized to assure them that the French government was collecting troops and transports at Calais, and that, as soon as it was known there that a rebellion had broken out in England, his father would embark with twelve thousand veteran soldiers, and would be among them in a few hours.

A more hazardous part was assigned to an emissary of lower rank, but of great address, activity, and courage. This was Sir George Barclay, a Scotch gentleman who had served with Sir George credit under Dundee, and who, when the Barclay. war in the Highlands had ended, had retired to Saint Germains. Barclay was called into the

<sup>&</sup>lt;sup>1</sup> The gayety of the Jacobites is said by Van Cleverskirke to have been noticed during some time; Feb. 25, 1696.

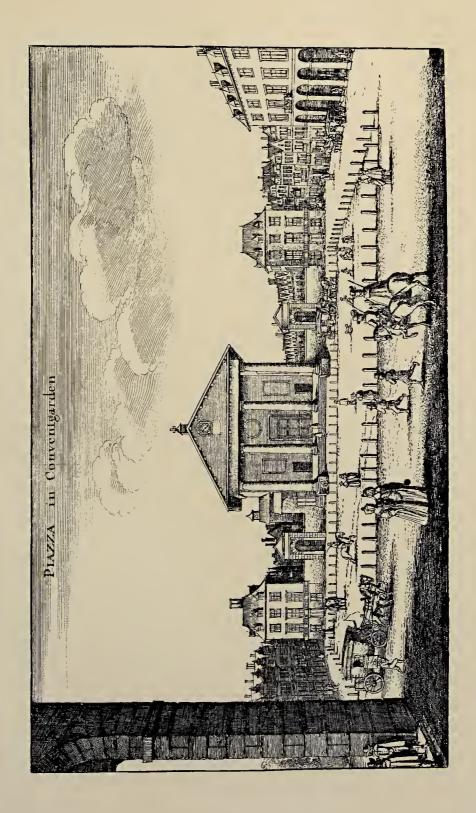
royal closet, and received his orders from the royal lips. He was directed to steal across the Channel and to repair to London. He was told that a few select officers and soldiers should speedily follow him by twos and threes. That they might have no difficulty in finding him, he was to walk, on Mondays and Thursdays, in the Piazza of Covent Garden after nightfall, with a white handkerchief hanging from his coat-pocket. was furnished with a considerable sum of money, and with a commission, which was not only signed, but written from beginning to end, by James himself. This commission authorized the bearer to do from time to time such acts of hostility against the Prince of Orange and that Prince's adherents as should most conduce to the service of the King. What explanation of these very comprehensive words was orally given by James we are not informed.

Lest Barclay's absence from Saint Germains should cause any suspicion, it was given out that his loose way of life had made it necessary for him to put himself under the care of a surgeon at Paris. He set out with eight hundred pounds in his portmanteau, hastened to the coast, and embarked on board of a privateer which was employed by the Jacobites as a regular packet-boat between France and England. This vessel conveyed him to a desolate spot in Romney Marsh. About half a mile from the landing-place, a smuggler, named Hunt, lived on a dreary and unwholesome fen, where he had no neighbors but a few rude fishermen and shepherds. His dwelling was singularly well situated for a contraband traffic in French wares. Cargoes of Lyons silk and Valenciennes lace sufficient to load <sup>1</sup> Harris's deposition, March 28, 1696.

Covent Garden, London.

From an old print.







thirty pack-horses had repeatedly been landed in that dismal solitude without attracting notice. But since the Revolution Hunt had discovered that of all cargoes a cargo of traitors paid best. His lonely abode became the resort of men of high consideration, Earls and Barons, Knights and Doctors of Divinity. them lodged many days under his roof while waiting for a passage. A clandestine post was established between his house and London. The couriers were constantly going and returning: they performed their journeys up and down on foot: but they appeared to be gentlemen; and it was whispered that one of them was the son of a titled man. The letters from Saint Germains were few and small. Those directed to Saint Germains were numerous and bulky: they were made up like parcels of millinery, and were buried in the morass till they were called for by the privateer.

Here Barclay landed in January, 1696; and hence he took the road to London. He was followed, a few days later, by a tall young man, who concealed his name, but who produced credentials of the highest authority. This stranger, too, proceeded to London. Hunt afterward discovered that his humble roof had had the honor of sheltering the Duke of Berwick.

The part which Barclay had to perform was difficult and hazardous; and he omitted no precaution. He had been little in London; and his face was consequently unknown to the agents of the government. Nevertheless, he had several lodgings: he disguised himself so well that his oldest friends would not have known him by broad daylight; and yet he seldom ventured into the streets except in the dark. His chief

<sup>&</sup>lt;sup>1</sup> Hunt's deposition.

agent was a monk who, under several names, heard confessions and said masses at the risk of his neck. This man intimated to some of the zealots with whom he consorted that a special agent of the royal family was to be spoken with in Covent Garden, on certain nights, at a certain hour, and might be known by certain signs. In this way Barclay became acquainted with several men fit for his purpose.

The first persons to whom he fully opened himself were Charnock and Parkyns. He talked with them about the plot which they and some of their friends had formed in the preceding spring against the life of William. Both Charnock and Parkyns declared that the plan then laid might easily be executed, that there was no want of resolute hearts among the Royalists, and that all that was wanting was some sign of His Majesty's approbation.

Then Barclay produced his commission. He showed his two accomplices that James had expressly commanded all good Englishmen, not only to rise in arms, not only to make war on the usurping government, not only to seize forts and towns, but also to do from time to time such other acts of hostility against the Prince of Orange as might be for the royal service. words, Barclay said, plainly authorized an attack on the Prince's person. Charnock and Parkyns were satisfied. How, in truth, was it possible for them to doubt that James's confidential agent correctly interpreted James's expressions? Nay, how was it possible for them to understand the large words of the commission in any sense but one, even if Barclay had not been there to act as commentator? If, indeed, the subject

<sup>1</sup> Fisher's and Harris's depositions.

had never been brought under James's consideration, it might perhaps have been thought that those words had dropped from his pen without any definite meaning. But he had been repeatedly apprised that some of his friends in England meditated a deed of blood, and that they were waiting only for his approbation. They had importuned him to speak one word, to give one sign. He had long kept silence; and, now that he broke silence, he merely told them to do what might be beneficial to himself and prejudicial to the usurper. They had his authority as plainly given as they could reasonably expect to have it given in such a case.

All that remained was to find a sufficient number of courageous and trustworthy assistants, to provide horses and weapons, and to fix the hour and the place of the slaughter. Forty men, it was thought, would be Those troopers of James's guard who had already followed Barclay across the Channel made up nearly half that number. James had himself seen some of these men before their departure from Saint Germains, had given them money for their journey, had told them by what name each of them was to pass in England, had commanded them to act as they should be directed by Barclay, and had informed them where Barclay was to be found and by what tokens he was to be known.2 They were ordered to depart in small parties, and to assign different reasons for going. Some were ill: some were weary of the service: Cassels, one of the most noisy and profane among them, announced that, since he could not get military pro-

<sup>&</sup>lt;sup>1</sup> Barclay's narrative, in the *Life of James*, ii., 548; Paper by Charnock among the Nairne MSS. in the Bodleian Library.

<sup>&</sup>lt;sup>2</sup> Harris's deposition.

motion, he should enter at the Scotch college, and study for a learned profession. Under such pretexts about twenty picked men left the palace of James, made their way by Romney Marsh to London, and found their captain walking in the dim lamplight of the Piazza with the handkerchief hanging from his pocket. One of these men was Ambrose Rookwood, who held the rank of brigadier, and who had a high reputation for courage and honor: another was Major John Bernardi, an adventurer of Genoese extraction, whose name has derived a melancholy celebrity from a punishment so strangely prolonged that it at length shocked a generation which could not remember his crime.<sup>1</sup>

It was in these adventurers from France that Barclay placed his chief trust. In a moment of elation he once called them his janizaries, and expressed a hope that they would get him the George and Garter. twenty more assassins at least were wanted. The conspirators probably expected valuable help from Sir John Friend, who had received a colonel's commission signed by James, and had been most active in enlisting men and providing arms against the day when the French should appear on the coast of Kent. The design was imparted to him: but he thought is so rash, and so likely to bring reproach and disaster on the good cause. that he would lend no assistance to his friends, though he kept their secret religiously.2 Charnock undertook to find eight brave and trusty fellows. He communicated the design to Porter, not with Barclay's entire

<sup>&</sup>lt;sup>1</sup> Harris's deposition. Bernardi's autobiography is not at all to be trusted. It contains some absurd mistakes, and some deliberate falsehoods.

<sup>2</sup> See his trial.

approbation; for Barclay appears to have thought that a tavern brawler, who had recently been in prison for swaggering drunk about the streets and huzzaing in honor of the Prince of Wales, was hardly to be trusted with a secret of such fearful import. Porter entered into the plot with enthusiasm, and promised to bring in others who would be useful. Among those whose help he engaged was his servant Thomas Keyes. Keyes was a far more formidable conspirator than might have been expected from his station in life. The household troops generally were devoted to William: but there was a taint of disaffection among the Blues. The chief conspirators had already been tampering with some Roman Catholics who were in that regiment; and Keyes was excellently qualified to bear a part in this work: for he had formerly been trumpeter of the corps; and, though he had quitted the service, he still kept up an acquaintance with some of the old soldiers in whose company he had lived at free quarter on the Somersetshire farmers after the battle of Sedgemoor.

Parkyns, who was old and gouty, could not himself take a share in the work of death. But he employed himself in providing horses, saddles, and weapons for his younger and more active accomplices. In this department of business he was assisted by Charles Cranburne, a person who had long acted as a broker between Jacobite plotters and people who dealt in cutlery and fire-arms. Special orders were given by Barclay that the swords should be made rather for stabbing than for slashing. Barclay himself enlisted Edward Lowick, who had been a Major in the Irish army, and who had, since the capitulation of Limerick,

been living obscurely in London. The monk who had been Barclay's first confidant recommended two busy Papists, Richard Fisher and Christopher Knightley; and this recommendation was thought sufficient. Knightley drew in Edward King, a Roman Catholic gentleman of hot and restless temper; and King procured the assistance of a French gambler and bully named De la Rue.<sup>1</sup>

Meanwhile the heads of the conspiracy held frequent meetings at treason taverns, for the purpose of settling a plan of operations. Several schemes were proposed, applauded, and, on full consideration, abandoned. one time it was thought that an attack on Kensington House at dead of night might probably be successful. The outer wall might easily be scaled. If once forty armed men were in the garden, the palace would soon be stormed or set on fire. Some were of opinion that it would be best to strike the blow on a Sunday as William went from Kensington to attend divine service at the chapel of Saint James's Palace. The murderers might assemble on the ground where Apsley House and Hamilton Place now stand. Just as the royal coach passed out of Hyde Park, and was about to enter what has since been called the Green Park, thirty of the conspirators, well mounted, might fall on the The guards were ordinarily only five-andtwenty. They would be taken completely by surprise; and probably half of them would be shot or cut down before they could strike a blow. Meanwhile ten or twelve resolute men on foot would stop the carriage by shooting the horses, and would then without difficulty

<sup>&</sup>lt;sup>1</sup> Fisher's deposition; Knightley's deposition; Cranburne's trial; De la Rue's deposition.

Entrance to London at Hyde Park Corner.

Redrawn from the "Pocket Magazine,"







despatch the King. At last the preference was given to a plan originally sketched by Fisher and put into shape by Porter. William was in the habit of going every Saturday from Kensington to hunt in Richmond There was then no bridge over the Thames between London and Kingston. The King therefore went, in a coach escorted by some of his body-guards, through Turnham Green to the river. There he took boat, crossed the water, and found another coach and another set of guards ready to receive him on the Surrev side. The first coach and the first set of guards awaited his return on the northern bank. The conspirators ascertained with great precision the whole order of these journeys, and carefully examined the ground on both sides of the Thames. They thought that they should attack the King with more advantage on the Middlesex than on the Surrey bank, and when he was returning than when he was going. For, when he was going, he was often attended to the water-side by a great retinue of lords and gentlemen; but on his return he had only his guards about him. The place and time were fixed. The place was to be a narrow and winding lane leading from the landing-place on the north of the river to Turnham Green. The spot may still be easily found. The ground has since been drained by trenches. But in the seventeenth century it was a quagmire, through which the royal coach was with difficulty tugged at a foot's pace. The time was to be the afternoon of Saturday, the fifteenth of February. On that day the Forty were to assemble in small parties at public-houses near the Green. the signal was given that the coach was approaching, they were to take horse and repair to their posts.

the cavalcade came up the lane, Charnock was to attack the guards in the rear, Rookwood on one flank, Porter on the other. Meanwhile Barclay, with eight trusty men, was to stop the coach and to do the deed. That no movement of the King might escape notice, two orderlies were appointed to watch the palace. One of these men, a bold and active Fleming, named Durant, was especially charged to keep Barclay well informed. The other, whose business was to communicate with Charnock, was a ruffian named Chambers, who had served in the Irish army, had received a severe wound in the breast at the Boyne, and, on account of that wound, bore a savage personal hatred to William.<sup>1</sup>

While Barclay was making all his arrangements for the assassination, Berwick was endeavoring to persuadethe Jacobite aristocracy to rise in arms. Failure of But this was no easy task. Several consul-Berwick's tations were held; and there was one great muster of the party under the pretence of a masquerade. for which tickets were distributed among the initiated at one guinea each.<sup>2</sup> All ended, however, in talking, singing, and drinking. Many men of rank and fortune, indeed, declared that they would draw their swords for their rightful Sovereign as soon as their rightful Sovereign was in the island with a French army; and Berwick had been empowered to assure them that a French army should be sent as soon as they had drawn the sword. But between what they asked and what he was authorized to grant there was a difference which admitted of no compromise. Lewis, situated as he was, would not risk ten or twelve thou-

<sup>&</sup>lt;sup>1</sup> See the trials and depositions.

<sup>&</sup>lt;sup>2</sup> L'Hermitage, March <sup>3</sup>/<sub>13</sub>, 1696.

sand excellent soldiers on the mere faith of promises. Similar promises had been made in 1690; and yet, when the fleet of Tourville had appeared on the coast of Devonshire, the Western counties had risen as one man in defence of the government, and not a single malcontent had dared to utter a whisper in favor of Similar promises had been made in the invaders. 1692; and to the confidence which had been placed in those promises was to be attributed the great disaster of La Hogue. The French King would not be deceived a third time. He would gladly help the English royalists; but he must first see them help themselves. There was much reason in this: and there was reason also in what the Jacobites urged on the other side. they said, they were to rise, without a single disciplined regiment to back them, against a usurper supported by a regular army, they should all be cut to pieces before the news that they were up could reach France. As Berwick could hold out no hope that there would be an invasion before there was an insurrection, and as his English friends were immovable in their determination that there should be no insurrection till there was an invasion, he had nothing more to do here, and became impatient to depart.

He was the more impatient to depart because the fifteenth of February drew near. For he was in constant communication with the assassins, and was perfectly apprised of all the details of the crime which was to be perpetrated on that day. He was generally considered as a man of sturdy and even ungracious integrity. But to such a degree had his sense of right and wrong been perverted by his zeal for the interests of his family, and by his respect for the lessons of his

priests, that he did not, as he has himself ingenuously confessed, think that he lay under any obligation to dissuade the murderers from the execution of their purpose. He had, indeed, only one objection to their design; and that objection he kept to himself. It was simply this, that all who were concerned were very likely to be hanged. That, however, was their affair; and, if they chose to run such a risk in the good cause, it was not his business to discourage them. His mission was quite distinct from theirs: he was not to act with them; and he had no inclination to suffer with them. He therefore hastened down to Romney Marsh, and crossed to Calais.<sup>1</sup>

At Calais he found preparations making for a descent on Kent. Troops filled the town: transports filled the port. Boufflers had been ordered to repair thither from Flanders, and to take the command. James himself was daily expected. In fact he had already left Saint Germains. Berwick, however, would not wait. He took the road to Paris, met his father at Clermont, and made a full report of the state of things in Eng-His embassy had failed: the Royalist nobility and gentry seemed resolved not to rise till a French army was in the island: but there was still a hope: news would probably come within a few days that the usurper was no more; and such news would change the whole aspect of affairs. James determined to go on to Calais, and there to await the event of Barclay's plot. Berwick hastened to Versailles for the purpose of giving explanations to Lewis. What the nature of the explanations was we know from Berwick's own narrative. He plainly told the French King that a 1 See Berwick's Memoirs.

small band of loyal men would in a short time make an attempt on the life of the great enemy of France. The next courier might bring tidings of an event which would probably subvert the English government and dissolve the European coalition. It might have been thought that a prince who ostentatiously affected the character of a devout Christian and of a courteous knight would instantly have taken measures for conveying to his rival a caution which perhaps might still arrive in time, and would have severely reprimanded the guests who had so grossly abused his hospitality. Such, however, was not the conduct of Lewis. Had he been asked to give his sanction to a murder he would probably have refused with indigna-But he was not moved to indignation by learning that, without his sanction, a crime was likely to be committed which would be far more beneficial to his interests than ten such victories as that of Landen. He sent down orders to Calais that his fleet should be in readiness to take advantage of the great crisis which he anticipated. At Calais James waited with still more impatience for the signal that his nephew was no more. That signal was to be given by a fire, of which the fuel was already prepared on the cliffs of Kent, and which would be visible across the straits.1

But a peculiar fate has, in our country, always attended such conspiracies as that of Barclay and Char-

Van Cleverskirke, Feb. 25. 1696. I am confident that no sensible and impartial person, after attentively reading Berwick's narrative of these transactions, and comparing it with the narrative in the *Life of James* (ii., 544), which is taken, word for word, from the *Original Memoirs*, can doubt that James was accessory to the design of assassination.

nock. The English regard assassination, and have during some ages regarded it, with a loathing pecul-Detection of iar to themselves. So English, indeed, is the Assassi- this sentiment that it cannot even now be nation Plot. called Irish, and that, till a recent period, it was not Scotch. In Ireland, to this day, the villain who shoots at his enemy from behind a hedge is too often protected from justice by public sympathy. Scotland plans of assassination were often, during the sixteenth and seventeenth centuries, successfully executed, though known to great numbers of persons. The murders of Beaton, of Rizzio, of Darnley, of Murray, of Sharpe, are conspicuous instances. The royalists who murdered Lisle in Switzerland were Irishmen: the royalists who murdered Ascham at Madrid were Irishmen: the royalists who murdered Dorislaus at the Hague were Scotchmen. In England, as soon as such a design ceases to be a secret hidden in the recesses of one gloomy and ulcerated heart, the risk of detection and failure becomes extreme. Felton and Bellingham reposed trust in no human being; and they were therefore able to accomplish their evil purposes. Babington's conspiracy against Elizabeth, Fawkes's conspiracy against James. Gerard's conspiracy against Cromwell, the Rye-house conspiracy, Despard's conspiracy, the Cato Street conspiracy, were all discovered, frustrated, and punished. In truth, such a conspiracy is here exposed to equal danger from the good and from the bad qualities of the conspirators. Scarcely any Englishman, not utterly destitute of conscience and honor, will engage in a plot for slaving an unsuspecting fellow-creature; and a wretch who has neither conscience nor honor is likely to think much on the

danger which he incurs by being true to his associates. and on the rewards which he may obtain by betraying There are, it is true, persons in whom religious or political fanaticism has destroyed all moral sensibility on one particular point, and yet has left that sensibility generally unimpaired. Such a person was Digby. He had no scruple about blowing Kings, Lords, and Commons into the air. Yet to his accomplices he was religiously and chivalrously faithful; nor could even the fear of the rack extort from him one word to their prejudice. But this union of depravity and heroism is very rare. The vast majority of men are either not vicious enough or not virtuous enough to be loyal and devoted members of treacherous and cruel confederacies; and, if a single member should want either the necessary vice or the necessary virtue, the whole confederacy is in danger. To bring together in one body forty Englishmen, all hardened cut-throats, and yet all so upright and generous that neither the hope of opulence nor the dread of the gallows can tempt any one of them to be false to the rest, has hitherto been found, and will, it is to be hoped, always be found impossible.

There were among Barclay's followers both men too bad and men too good to be trusted with such a secret as his. The first whose heart failed him was Fisher. Even before the time and place of the crime had been fixed, he obtained an audience of Portland, and told that lord that a design was forming against the King's life. Some days later Fisher came again with more precise intelligence. But his character was not such as entitled him to much credit; and the knavery of Fuller, of Young, of Whitney, and of Taaffe, had made men of sense slow to believe stories of plots. Portland,

therefore, though in general very easily alarmed where the safety of his master and friend was concerned, seems to have thought little about the matter. But, on the evening of the fourteenth of February, he received a visit from a person whose testimony he could not treat lightly. This was a Roman Catholic gentleman of known courage and honor, named Pendergrass. He had, on the preceding day, come up to town from Hampshire, in consequence of a pressing summons from Porter, who, dissolute and unprincipled as he was, had to Pendergrass been a most kind friend, indeed almost a father. In a Tacobite insurrection Pendergrass would probably have been one of the foremost. learned with horror that he was expected to bear a part in a wicked and shameful deed. He found himself in one of those situations which most cruelly torture noble and sensitive natures. What was he to do? Was he to commit a murder? Was he to suffer a murder which he could prevent to be committed? Yet was he to betray one who, however culpable, had loaded him with benefits? Perhaps it might be possible to save William without harming Porter. Pendergrass determined to make the attempt. "My lord," he said to Portland, "as you value King William's life, do not let him hunt to-morrow. He is the enemy of my religion: yet my religion constrains me to give him this caution. But the names of the conspirators I am resolved to conceal: some of them are my friends: one of them especially is my benefactor; and I will not betray them."

Portland went instantly to the King: but the King received the intelligence very coolly, and seemed determined not to be frightened out of a good day's sport by such an idle story. Portland argued and implored in vain. He was at last forced to threaten that he would immediately make the whole matter public, unless His Majesty would consent to remain within-doors during the next day; and this threat was successful.

Saturday, the fifteenth, came. The Forty were all ready to mount when they received intelligence from the orderlies who watched Kensington House that the King did not mean to hunt that morning. "The fox," said Chambers, with vindictive bitterness, "keeps his earth." Then he opened his shirt, showed the great scar on his breast, and vowed revenge on William.

The first thought of the conspirators was that their design had been detected. But they were soon reassured. It was given out that the weather had kept the King at home; and, indeed, the day was cold and stormy. There was no sign of agitation at the palace. No extraordinary precaution was taken. No arrest was made. No ominous whisper was heard at the coffee-houses. The delay was vexatious: but Saturday, the twenty-second, would do as well.

But, before Saturday, the twenty-second, arrived, a third informer, De la Rue, had presented himself at the palace. His way of life did not entitle him to much respect: but his story agreed so exactly with what had been said by Fisher and Pendergrass that even William began to believe that there was real danger.

Very late in the evening of Friday, the twenty-first, Pendergrass, who had as yet disclosed much less than either of the other informers, but whose single word

<sup>1</sup> L'Hermitage, Feb. 25.

was worth much more than their joint oath, was sent for to the royal closet. The faithful Portland and the gallant Cutts were the only persons who witnessed the singular interview between the King and his generous enemy. William, with courtesy and animation which he rarely showed, but which he never showed without making a deep impression, urged Pendergrass to speak out. "You are a man of true probity and honor: I am deeply obliged to you: but you must feel that the same considerations which have induced you to tell us so much ought to induce you to tell us something more. The cautions which you have as yet given can only make me suspect everybody that comes near me. They are sufficient to embitter my life, but not sufficient to preserve it. You must let me know the names of these men." During more than half an hour the King continued to entreat and Pendergrass to refuse. At last Pendergrass said that he would give the information which was required, if he could be assured that it would be used only for the prevention of the crime, and not for the destruction of the criminals. "I give you my word of honor," said William, "that your evidence shall not be used against any person without your own free consent." It was long past midnight when Pendergrass wrote down the names of the chief conspirators.

While these things were passing at Kensington, a large party of the assassins was revelling at a Jacobite tavern in Maiden Lane. Here they received their final orders for the morrow. "To-morrow or never," said King. "To-morrow, boys," cried Cassels, with a curse, "we shall have the plunder of the field." The morrow came. All was ready: the horses were

saddled: the pistols were loaded: the swords were sharpened: the orderlies were on the alert: they early sent intelligence from the palace that the King was certainly going a hunting: all the usual preparations had been made: a party of guards had been sent round by Kingston Bridge to Richmond: the royal coaches, each with six horses, had gone from the stables at Charing Cross to Kensington. The chief murderers assembled in high glee at Porter's lodgings. Pendergrass, who, by the King's command, appeared among them, was greeted with ferocious mirth. "Pendergrass," said Porter, "you are named one of the eight who are to do his business. I have a musketoon for you that will carry eight balls." "Mr. Pendergrass," said King, "pray do not be afraid of smashing the glass windows." From Porter's lodgings the party adjourned to the Blue Posts in Spring Gardens, where they meant to take some refreshment before they started for Turnham Green. They were at table when a message came from an orderly that the King had changed his mind and would not hunt; and scarcely had they recovered from their first surprise at this ominous news, when Keyes, who had been out scouting among his old comrades, arrived with news more omi-"The coaches have returned to Charing nous still. The guards that were sent round to Richmond have just come back to Kensington at full gallop, the flanks of the horses all white with foam. I have had a word with one of the Blues. He told me that strange things are muttered." Then the countenances of the assassins fell; and their hearts died within them. Porter made a feeble attempt to disguise his uneasiness. He took up an orange and squeezed it. "What

cannot be done one day may be done another. Come, gentlemen, before we part let us have one glass to the squeezing of the rotten orange." The squeezing of the rotten orange was drunk; and the company dispersed.

A few hours elapsed before all the conspirators abandoned all hope. Some of them derived comfort from a report that the King had taken physic, and that this was his only reason for not going to Richmond. If it were so, the blow might still be struck. Two Saturdays had been unpropitious. But Sunday was at hand. One of the plans which had formerly been discussed and abandoned might be resumed. The usurper might be set upon at Hyde Park Corner on his way to his chapel. Charnock was ready for the most desperate enterprise. However great the risk, however small the chance of success, it was better to die biting and scratching to the last than to be worried without resistance or revenge. He assembled some of his accomplices at one of the numerous houses at which he had lodgings, and plied them hard with healths to the King, to the Queen, to the Prince, and to the Grand Monarch, as they called Lewis. But the terror and dejection of the gang were beyond the power of wine; and so many had stolen away that those who were left could effect nothing. In the course of the afternoon it was known that the guards had been doubled at the palace; and soon after nightfall messengers from the Secretary of State's office were hurry-

<sup>&</sup>lt;sup>1</sup> My account of these events is taken chiefly from the trials and depositions. See also Burnet, ii., 165, 166, 167; Blackmore's *True and Impartial History*, compiled under the direction of Shrewsbury and Somers, and Boyer's *History of King William III.*, 1703.

ing to and fro with torches through the streets, accompanied by files of musketeers. Before the dawn of Sunday Charnock was in custody. A little later Rookwood and Bernardi were found in bed at a Jacobite ale-house on Tower Hill. Seventeen more traitors were seized before noon; and three of the Blues were put under arrest. That morning a Council was held; and, as soon as it rose, an express was sent off to call home some regiments from Flanders: Dorset set out for Sussex, of which he was Lord-lieutenant: Romney, who was Warden of the Cinque Ports, started for the coast of Kent; and Russell hastened down the Thames to take the command of the fleet. In the evening the Council sat again. Some of the prisoners were examined and committed. The Lord Mayor was in attendance, was informed of what had been discovered, and was specially charged to look well to the peace of the capital.1

On Monday morning all the trainbands of the City were under arms. The King went in state to the House of Lords, sent for the Commons, and Parliamentary proceedings touching but for the protection of a gracious Provithe Assassination Plot.

dence, he should at that moment have been a corpse, and the kingdom would have been invaded by a French army. The danger of invasion, he added, was still great: but he had already given such orders as would, he hoped, suffice for the protection of the realm. Some traitors were in custody: warrants were out against others: he should do his part

<sup>&</sup>lt;sup>1</sup> Portland to Lexington, March  $\frac{3}{13}$ , 1696; Van Cleverskirke,  $\frac{\text{Feb. 25}}{\text{Mar. 6}}$ ; L'Hermitage, of the same date.

in this emergency; and he relied on the Houses to do theirs.1

The Houses instantly voted a joint address in which they thankfully acknowledged the divine goodness which had preserved him to his people, and implored him to take more than ordinary care of his person. They concluded by exhorting him to seize and secure all whom he regarded as dangerous. On the same day two important bills were brought into the Commons. By one the Habeas Corpus Act was suspended. other provided that the Parliament should not be dissolved by the death of William. Sir Rowland Gwyn, an honest country gentleman, made a motion of which he did not at all foresee the important consequences. He proposed that the members should enter into an association for the defence of their Sovereign and their country. Montague, who of all men was the quickest at taking and improving a hint, saw how much such an association would strengthen the government and the Whig party.2 An instrument was immediately drawn up, by which the representatives of the people, each for himself, solemnly recognized William as rightful and lawful King, and bound themselves to stand by him and by each other against James and James's adherents. Lastly they vowed that, if His Majesty's life should be shortened by violence, they would avenge him signally on his murderers, and would, with one heart, strenuously support the order of succession settled by the Bill of Rights. It was ordered that the House should be called over the next morning.3 The attendance was

<sup>&</sup>lt;sup>1</sup> Commons' Journals, Feb. 24, 1695.

<sup>&</sup>lt;sup>2</sup> England's Enemies Exposed, 1701.

<sup>&</sup>lt;sup>3</sup> Commons' Journals, Feb. 24,  $169_6^5$ .

consequently great: the Association, engrossed on parchment, was on the table; and the members went up, county by county, to sign their names.'

The King's speech, the joint address of both Houses. the Association framed by the Commons, and a proclamation, containing a list of the conspirators, State of puband offering a reward of a thousand pounds lic feeling. for the apprehension of any one of them, were soon cried in all the streets of the capital and carried out by all the post-bags. Wherever the news came it raised the whole country. Those two hateful words, assassination and invasion, acted like a spell. No impressment was necessary. The seamen came forth from their hiding-places by thousands to man the Only three days after the King had appealed to the nation, Russell sailed out of the Thames with one great squadron. Another was ready for action at Spithead. The militia of all the maritime counties from the Wash to the Land's End was under arms. For persons accused of offences merely political there was generally much sympathy. But Barclay's assassins were hunted like wolves by the whole population. The abhorrence which the English have, through many generations, felt for domiciliary visits, and for all those impediments which the police of continental states throws in the way of travellers, was for a time suspended. The gates of the City of London were kept many hours closed while a strict search was made The magistrates of almost every walled town in the kingdom followed the example of the capital.

<sup>&</sup>lt;sup>1</sup> Commons' Journals, Feb. 25,  $169\frac{5}{6}$ ; Van Cleverskirke,  $\frac{\text{Feb. 28}}{\text{Mar. 9}}$ ; L'Hermitage, of the same date.

On every highway parties of armed men were posted with orders to stop passengers of suspicious appearance. During a few days it was hardly possible to perform a journey without a passport, or to procure post-horses without the authority of a justice of the peace. Nor was any voice raised against these precau-The common people, indeed, were, if possible, more eager than the public functionaries to bring the traitors to justice. This eagerness may perhaps be in part ascribed to the great rewards promised by the royal proclamation. The hatred which every good Protestant felt for Popish cut-throats was not a little strengthened by the songs in which the street poets celebrated the lucky hackney-coachman who had caught his traitor, had received the promised thousand pounds, and had set up as a gentleman.1 The zeal of the populace could in some places hardly be kept within the limits of the law. At the country-seat of Parkyns, in Warwickshire, arms and accoutrements sufficient to equip a troop of cavalry were found. soon as this was known, a furious mob assembled, pulled down the house, and laid the gardens utterly waste.2 Parkyns himself was tracked to a garret in the Temple. Porter and Keyes, who had fled into Surrey, were pursued by the hue-and-cry, stopped by the country people near Leatherhead, and, after some show of resistance, secured and sent to prison.

<sup>&</sup>lt;sup>1</sup> According to L'Hermitage,  $\frac{\text{Feb. 28}}{\text{Mar. 9}}$ , there were two of these fortunate hackney-coachmen. A shrewd and vigilant hackney-coachman indeed was, from the nature of his calling, very likely to be successful in this sort of chase. The newspapers abound with proofs of the general enthusiasm.

<sup>&</sup>lt;sup>2</sup> Postman, March 5, 1695.

was found hidden in the house of a Quaker. Knightley was caught in the dress of a fine lady and recognized in spite of his patches and paint. In a few days all the chief conspirators were in custody except Barclay, who succeeded in making his escape to France.

At the same time some notorious malcontents were arrested, and were detained for a time on suspicion. Old Roger Lestrange, now in his eightieth year, was taken up. Ferguson was found hidden under a bed in Gray's Inn Lane, and was, to the general joy, locked up in Newgate.1 Meanwhile a special commission was issued for the trial of the traitors. There was no want of evidence. For, of the conspirators who had been seized, ten or twelve were ready to save themselves by bearing witness against their associates. None had been deeper in guilt, and none shrank with more abject terror from death, than Porter. The government consented to spare him, and thus obtained, not only his evidence, but the much more respectable evidence of Pendergrass. Pendergrass was in no danger: he had committed no offence: his character was fair; and his testimony would have far greater weight with a jury than the testimony of a crowd of approvers swearing for their necks. But he had the royal word of honor that he should not be a witness without his own consent; and he was fully determined not to be a witness unless he were assured of Porter's safety. Porter was now safe; and Pendergrass had no longer any scruple about relating the whole truth.

Charnock, King, and Keyes were set first to the bar. The Chiefs of the three Courts and Keyes. of Common Law and several other Judges

<sup>&</sup>lt;sup>1</sup> Postman, Feb. 29, March 2, March 12, March 14, 1695.

were on the bench; and among the audience were many members of both Houses of Parliament.

It was the eleventh of March. The new act for regulating the procedure in cases of high-treason was not to come into force till the twenty-fifth. The culprits urged that, as the legislature had, by passing that act, recognized the justice of allowing them to see their indictment, and to avail themselves of the assistance of an advocate, the tribunal ought either to grant them what the highest authority had declared to be a reasonable indulgence, or to defer the trial for a fortnight. The Judges, however, would consent to no delay. They have, therefore, been accused by some writers of using the mere letter of the law in order to destroy men who, if the law had been construed according to its spirit, might have had some chance of escape. This accusation is unjust. The Judges undoubtedly carried the real intention of the legislature into effect; and, for whatever injustice was committed, the legislature and not the Judges, ought to be held accountable. The words, "twenty-fifth of March," had not slipped into the act by mere inadvertence. All parties in Parliament had long been agreed as to the principle of the new regulations. The only matter about which there was any dispute was the time at which those regulations should take effect. After debates extending through several sessions, after repeated divisions with various results, a compromise had been made; and it was surely not for the courts to alter the terms of that compromise. It may, indeed, be confidently affirmed that, if the Houses had foreseen that a plot against the person of William would be detected in the course of that year, they would have fixed, not an earlier, but

a later day for the commencement of the new system. Undoubtedly the Parliament, and especially the Whig party, deserved serious blame. For, if the old rules of procedure gave no unfair advantage to the crown, there was no reason for altering them; and if, as was generally admitted, they did give an unfair advantage to the crown, and that against a defendant on trial for his life, they ought not to have been suffered to continue in force a single day. But no blame is due to the tribunals for not acting in direct opposition both to the letter and to the spirit of the law.

The government might, indeed, have postponed the trials till the new act came into force; and it would have been wise, as well as right, to do so; for the prisoners would have gained nothing by the delay. The case against them was one on which all the ingenuity of the Inns of Court could have made no impression. Porter, Pendergrass, De la Rue, and others gave evidence which admitted of no answer. Charnock said the very little that he had to say with readiness and presence of mind. The jury found all the defendants guilty. It is not much to the honor of that age that the announcement of the verdict was received with loud huzzas by the crowd which surrounded the court-house. Those huzzas were renewed when the three unhappy men, having heard their doom, were brought forth under a guard.1

Charnock had hitherto shown no sign of flinching; but when he was again in his cell his fortitude gave way. He begged hard for mercy. He would be con-

<sup>&</sup>lt;sup>1</sup> Postman, March 12, 1696; Vernon to Lexington, March 13; Van Cleverskirke, March  $\frac{13}{23}$ . The proceedings are fully reported in the Collection of State Trials.

tent, he said, to pass the rest of his days in an easy confinement. He asked only for his life. In return for his life, he promised to discover all that he knew of the schemes of the Jacobites against the government. If it should appear that he prevaricated, or that he suppressed anything, he was willing to undergo the utmost rigor of the law. This offer produced much excitement, and some difference of opinion, among the councillors of William. But the King decided, as in such cases he seldom failed to decide, wisely and magnanimously. He saw that the discovery of the Assassination Plot had changed the whole posture of affairs. His throne, lately tottering, was fixed on an immovable basis. His popularity had risen impetuously to as great a height as when he was on his march from Torbay to London. Many who had been out of humor with his administration, and who had, in their spleen, held some communication with Saint Germains, were shocked to find that they had been, in some sense, leagued with murderers. He would not drive such persons to despair. He would not even put them to the blush. Not only should they not be punished: they should not undergo the humiliation of being pardoned. He would not know that they had offended. Charnock was left to his fate. When he found that he had no chance of being received as a deserter, he assumed the dignity of a martyr, and played his part resolutely to the close. That he might bid farewell to the world with a better

<sup>&</sup>lt;sup>1</sup> Burnet, ii., 171; The Present Disposition of England Considered, 1701; England's Enemies Exposed, 1701; L'Hermitage, March  $\frac{17}{27}$ , 1696. L'Hermitage says, "Charnock a fait des grandes instances pour avoir sa grace, et a offert de tout déclarer: mais elle lui a esté refusée."

grace, he ordered a fine new coat to be hanged in, and was very particular on his last day about the powdering and curling of his wig.¹ Just before he was turned off, he delivered to the Sheriffs a paper in which he avowed that he had conspired against the life of the Prince of Orange, but solemnly denied that James had given any commission authorizing assassination. The denial was doubtless literally correct: but Charnock did not deny, and assuredly could not with truth have denied, that he had seen a commission written and signed by James, and containing words which might without any violence be construed, and which were, by all to whom they were shown, actually construed, to authorize the murderous ambuscade of Turnham Green.

Indeed Charnock, in another paper, which is still in existence, but has never been printed, held very different language. He plainly said that, for reasons too obvious to be mentioned, he could not tell the whole truth in the paper which he had delivered to the Sheriffs. He acknowledged that the plot in which he had been engaged seemed, even to many loyal subjects, highly criminal. They called him assassin and murderer. Yet what had he done more than had been done by Mucius Scævola? Nay, what had he done more than had been done by everybody who had borne arms against the Prince of Orange? an army of twenty thousand men had suddenly landed in England and surprised the usurper, this would have been called legitimate war. Did the difference between war and assassination depend merely on the number of persons engaged? What, then, was the smallest number which could lawfully surprise an <sup>1</sup> L'Hermitage, March ½7.

enemy? Was it five thousand, or a thousand, or a hundred? Jonathan and his armor-bearer were only two. Yet they made a great slaughter of the Philistines. Was that assassination? It cannot, said Charnock, be the mere act, it must be the cause, that makes killing assassination. It followed that it was not assassination to kill one—and here the dving man gave a loose to all his hatred—who had declared a war of extermination against loyal subjects, who hung, drew, and quartered every man who stood up for the right, and who had laid waste England to enrich the Dutch. Charnock admitted that his enterprise would have been unjustifiable if it had not been authorized by James: but he maintained that it had been authorized, not, indeed, expressly, but by implication. His Majesty had, indeed, formerly prohibited similar attempts: but he had prohibited them, not as in themselves criminal, but merely as inexpedient at this or that conjuncture of affairs. Circumstances had changed. The prohibition might therefore reasonably be considered as withdrawn. His Majesty's faithful subjects had then only to look to the words of his commission; and those words, beyond all doubt, fully warranted an attack on the person of the usurper.1

<sup>1</sup> This most curious paper is among the Nairne MSS. in the Bodleian Library. A short, and not perfectly ingenuous, abstract of it will be found in the *Life of James*, ii., 555. Why Macpherson, who has printed many less interesting documents, did not choose to print this document, it is easy to guess. I will transcribe two or three important sentences. "It may reasonably be presumed that what, in one juncture, His Majesty had rejected he might in another accept, when his own and the public good necessarily required it. For I could not understand it in such a manner as if he had given a general

King and Keyes suffered with Charnock. King behaved with firmness and decency. He acknowledged his crime, and said that he repented of it. He thought it due to the Church of which of Charnock. King, and he was a member, and on which his conduct Keyes. had brought reproach, to declare that he had been misled, not by any casuistry about tyrannicide, but merely by the violence of his own evil passions. Poor Keyes was in an agony of terror. His tears and lamentations moved the pity of some of the spectators. It was said at the time, and it has often since been repeated, that a servant drawn into a crime by a master, and then betrayed by that master, was a proper object of royal elemency. But those who have blamed the severity with which Keyes was treated have altogether omitted to notice the important circumstance which distinguished his case from that of every other conspirator. He had been one of the Blues. He had kept up to the last an intercourse with his old comrades. On the very day fixed for the murder he had contrived to mingle with them and to pick up intelligence from them. The regiment had been so deeply infected with disloyalty that it had been found necessary to confine some men and to dismiss many more. Surely, if any example was to be made, it was proper to make an example of the agent by whose instrumentality the men

prohibition that at no time the Prince of Orange should be touched. . . . Nobody that believes His Majesty to be lawful King of England can doubt but that in virtue of his commission to levy war against the Prince of Orange and his adherents, the setting upon his person is justifiable, as well by the laws of the land duly interpreted and explained as by the law of God."

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who meant to shoot the King communicated with the men whose business was to guard him.

Friend was tried next. His crime was not of so black a dve as that of the three conspirators who had just suffered. He had, indeed, invited foreign enemies to invade the realm, and had Friend. made preparations for joining them. But, though he had been privy to the design of assassination, he had not been a party to it. His large fortune, however, and the use which he was well known to have made of it, marked him out as a fit object for punishment. He, like Charnock, asked for counsel, and, like Charnock, asked in vain. The Judges could not relax the law; and the Attorney-general would not postpone the trial. The proceedings of that day furnish a strong argument in favor of the act from the benefit of which Friend was excluded. It is impossible to read them over at this distance of time without feeling compassion for a silly, ill-educated man, unnerved by extreme danger, and opposed to cool, astute, and experienced antagonists. Charnock had defended himself, and those who were tried with him, as well as any professional advocate could have done. But poor Friend was as helpless as a child. He could do little more than exclaim that he was a Protestant, and that the witnesses against him were Papists, who had dispensations from their priests for perjury, and who believed that to swear away the lives of heretics was a meritorious work. He was so grossly ignorant of law and history as to imagine that the Statute of Treasons, passed in the reign of Edward the Third, at a time when there was only one religion in the kingdom, contained a clause providing that no Papist should be a witness.

and actually forced the clerk of the court to read the whole act from beginning to end. About Friend's guilt it was impossible that there could be a doubt in any rational mind. He was convicted; and he would have been convicted if he had been allowed the privileges for which he asked.

Parkyns came next. He had been deeply concerned in the worst part of the plot, and was, in one respect, less excusable than any of his accomplices: Trial of for they were all nonjurors; and he had Parkyns. taken the oaths to the existing government. He, too, insisted that he ought to be tried according to the provisions of the new act. But the counsel for the crown stood on their extreme right; and his request was denied. As he was a man of considerable abilities, and had been bred to the bar, he probably said for himself all that counsel could have said for him; and that all amounted to very little. He was found guilty, and received sentence of death on the evening of the twentyfourth of March, within six hours of the time when the law of which he had vainly demanded the benefit was to come into force.1

The execution of the two knights was eagerly expected by the population of London. The Statesgeneral were informed by their correspondent that, of all sights, that in which the English most delighted was a hanging, and that, of all hangings within the memory of the oldest man, that of Friend and Parkyns had excited the greatest interest. The multitude had been incensed against Friend by reports touching the exceeding badness of the beer which he brewed. It

<sup>1</sup> The trials of Friend and Parkyns will be found, excellently reported, among the *State Trials*.

was even rumored that he had, in his zeal for the Jacobite cause, poisoned all the casks which he had furnished to the navy. An innumerable crowd accordingly assembled at Tyburn. Scaffolding had been put up which formed an immense amphitheatre round the gallows. On this scaffolding the wealthier spectators stood, row above row; and expectation was at the height when it was announced that the show was deferred. The mob broke up in bad-humor, and not without many fights between those who had given money for their places and those who refused to return it.

The cause of this severe disappointment was a resolution suddenly passed by the Commons. A member had proposed that a Committee should be sent to the Tower with authority to examine the prisoners, and to hold out to them the hope that they might, by a full and ingenuous confession, obtain the intercession of the House. The debate appears, from the scanty information which has come down to us, to have been a very curious one. Parties seemed to have changed characters. It might have been expected that the Whigs would have been inexorably severe, and that, if there was any tenderness for the unhappy men, that tenderness would have been found among the Tories. But, in truth, many of the Whigs hoped that they might, by sparing two criminals who had no power to do mischief, be able to detect and destroy numerous criminals high in rank and office. On the other hand. every man who had ever had any dealings direct or indirect with Saint Germains, or who took an interest in any person likely to have had such dealings, looked

 $^{1}$  L'Hermitage, April  $\frac{3}{13}$ , 1696.

forward with dread to the disclosures which the captives might, under the strong terrors of death, be induced to make. Seymour, simply because he had gone farther in treason than almost any other member of the House, was louder than any other member of the House in exclaiming against all indulgence to his brothertraitors. Would the Commons usurp the most sacred prerogative of the crown? It was for His Majesty, and not for them, to judge whether lives justly forfeited could be without danger spared. The Whigs, however, carried their point. A committee, consisting of all the Privy Councillors in the House, set off instantly for Newgate. Friend and Parkyns were interrogated, but to no purpose. They had, after sentence had been passed on them, shown at first some symptoms of weakness: but their courage had been fortified by the exhortations of nonjuring divines who had been admitted to the prison. The rumor was that Parkyns would have given way but for the entreaties of his daughter, who adjured him to suffer like a man for the good The criminals acknowledged that they had done the acts of which they had been convicted, but, with a resolution which is the more respectable because it seems to have sprung, not from constitutional hardihood, but from sentiments of honor and religion, refused to say anything which could compromise others.1

In a few hours the crowd again assembled at Tyburn; and this time the sight-seers were not defrauded of their amusement. They saw, indeed, one sight which they had not expected, and which produced a greater sensation than the exe-

<sup>&</sup>lt;sup>1</sup> Commons' Journals, April 1, 2, 1696; L'Hermitage, April <sup>3</sup>/<sub>13</sub>' 1696; Van Cleverskirke, of the same date.

cution itself. Jeremy Collier and two other nonjuring divines of less celebrity, named Cook and Snatt, had attended the prisoners in Newgate, and were in the cart under the gallows. When the prayers were over, and just before the hangman did his office, the three schismatical priests stood up, and laid their hands on the heads of the dying men, who continued to kneel. Collier pronounced a form of absolution taken from the service for the Visitation of the Sick, and his brethren exclaimed "Amen!"

This ceremony raised a great outcry; and the outcry became louder when, a few hours after the execution, the papers delivered by the two traitors to the Sheriffs were made public. It had been supposed that Parkyns at least would express some repentance for the crime which had brought him to the gallows. Indeed he had, before the Committee of the Commons, owned that the Assassination Plot could not be justified. his last declaration, he avowed his share in that plot. not only without a word indicating remorse, but with something which resembled exultation. Was this a man to be absolved by Christian divines, absolved before the eyes of tens of thousands, absolved with rites evidently intended to attract public attention, with rites of which there was no trace in the Book of Common Prayer or in the practice of the Church of England?

In journals, pamphlets, and broadsides, the insolence of the three Levites, as they were called, was sharply reprehended. Warrants were soon out. Cook and Snatt were taken and imprisoned: but Collier was able to conceal himself, and, by the help of one of the presses which were at the service of his party, sent forth from

his hiding-place a defence of his conduct. He declared that he abhorred assassination as much as any of those who railed against him; and his general character warrants us in believing that this declaration was perfectly sincere. But the rash act into which he had been hurried by party-spirit furnished his adversaries with very plausible reasons for questioning his sincerity. A crowd of answers to his defence appeared. Pre-eminent among them in importance was a solemn manifesto, signed by the two Archbishops, and by all the Bishops who were then in London, twelve in number. Even Crewe of Durham and Sprat of Rochester set their names to this document. They condemned the proceedings of the three nonjuring divines, as in form irregular, and in substance impious. To remit the sins of impenitent sinners was a profane abuse of the power which Christ had delegated to his ministers. was not denied that Parkyns had planued an assassination. It was not pretended that he had professed any repentance for planning an assassination. The plain inference was that the divines who absolved him did not think it sinful to assassinate King William. Collier rejoined: but, though a pugnacious controversialist, he on this occasion shrank from close conflict, and made his escape as well as he could under a cloud of quotations from Tertullian, Cyprian, and Jerome, Albaspinæus and Hammond, the Council of Carthage and the Council of Toledo. The public feeling was strongly against the three absolvers. The government, however, wisely determined not to confer on them the honor of martyrdom. A bill was found against them by the Grand Jury of Middlesex: but they were brought to trial. Cook and Snatt were set at liberty

after a short detention; and Collier would have been treated with equal lenity if he would have consented to put in bail. But he was determined to do no act which could be construed into a recognition of the usurping government. He was therefore outlawed; and when he died, more than thirty years later, his outlawry had not been reversed.

Parkyns was the last Englishman who was tried for high-treason under the old system of procedure. first who was tried under the new system Trials of was Rookwood. He was defended by Sir Rookwood. Bartholomew Shower, who in the preceding Cranburne, and Lowick. reign had made himself unenviably conspicuous as a servile and cruel sycophant; had obtained from James the Recordership of London when Holt honorably resigned it; had, as Recorder, sent soldiers to the gibbet for breaches of military discipline; and had justly earned the nickname of the Man-hunter. Shower had deserved, if any offender had deserved, to be excepted from the Act of Indemnity, and left to the utmost rigor of those laws which he had shamelessly perverted. But he had been saved by the clemency of William, and had requited that clemency by pertinacious and malignant opposition.2 It was doubtless on account of Shower's known leaning toward Jacobitism that he was employed on this occasion. He raised some technical objections which the court overruled. On the merits of the case he could make no defence.

 $<sup>^{1}</sup>$  L'Hermitage, April  $\frac{7}{17}$ , 1696. The Declaration of the Bishops, Collier's Defence, and Further Defence, and a long legal argument for Cook and Snatt, will be found in the *Collection of State Trials*.

<sup>&</sup>lt;sup>2</sup> See The Man-hunter, 1690.

The jury returned a verdict of guilty. Cranburne and Lowick were then tried and convicted. They suffered with Rookwood; and there the executions stopped.

The temper of the nation was such that the government might have shed much more blood without incurring the reproach of cruelty. The feeling The Assowhich had been called forth by the discovery ciation. of the plot continued during several weeks to increase day by day. Of that feeling the able men who were at the head of the Whig party made a singularly skilful use. They saw that the public enthusiasm, if left without guidance, would exhaust itself in huzzas, healths, and bonfires, but might, if wisely guided, be the means of producing a great and lasting effect. Association, into which the Commons had entered while the King's speech was still in their ears, furnished the means of combining four-fifths of the nation in one vast club for the defence of the order of succession with which were inseparably combined the dearest liberties of the English people and of establishing a test which would distinguish those who were zealous for that order of succession from those who sullenly and reluctantly acquiesced in it. Of the five hundred and thirteen members of the Lower House, about four hundred and twenty voluntarily subscribed the instrument which recognized William as rightful and lawful King of England. It was moved in the Upper House that the same form should be adopted: but objections were raised by the Tories. Nottingham, ever conscientious, honorable, and narrow-minded, declared that he could not assent to the words "rightful and lawful." He still held, as he had held from the first, that a prince

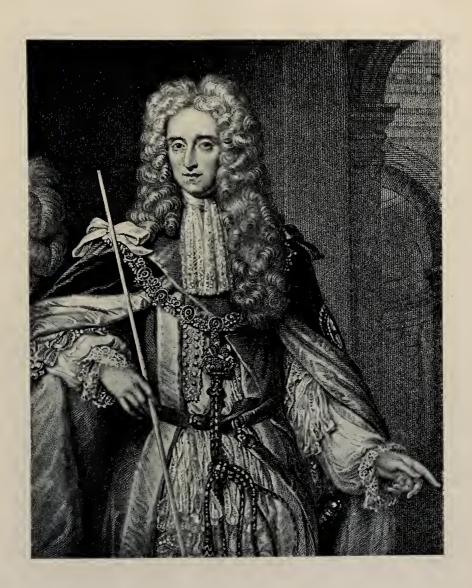
<sup>1</sup> State Trials.

who had taken the crown, not by birthright, but by the gift of the Convention, could not properly be so described. William was doubtless King in fact, and, as King in fact, was entitled to the obedience of Christians. "No man," said Nottingham, "has served, or will serve. His Majesty more faithfully than I. this document I cannot set my hand." Rochester and Normanby held similar language. Monmouth, in a speech of two hours and a half, earnestly exhorted the Lords to agree with the Commons. Burnet was vehement on the same side. Wharton, whose father had lately died, and who was now Lord Wharton, appeared in the foremost rank of the Whig peers. But no man distinguished himself more in the debate than one whose life, both public and private, had been a long series of faults and disasters, the incestuous lover of Henrietta Berkeley, the unfortunate lieutenant of Monmouth. He had recently ceased to be called by the tarnished name of Grey of Wark, and was now Earl of Tankerville. He spoke on that day with great force and eloquence for the words, "rightful and lawful." Leeds, after expressing his regret that a question about a mere phrase should have produced dissension among noble persons who were all equally attached to the reigning Sovereign, undertook the office of mediator. He proposed that their Lordships, instead of recognizing William as rightful and lawful King, should declare that William had the right by law to the English crown, and that no other person had any right whatever to that crown. Strange to say, almost all the Tory peers were perfectly satisfied with what Leeds had suggested. Among the Whigs there was some unwillingness to consent to a change which, slight as

Thomas Osborne—First Duke of Leeds.

From a portrait by Van der Vaart.







it was, night be thought to indicate a difference of opinion between the two Houses on a subject of grave importance. But Devonshire and Portland declared themselves content: their authority prevailed; and the alteration was made. How a rightful and lawful possessor is to be distinguished from a possessor who has the exclusive right by law, is a question which a Whig may, without any painful sense of shame, acknowledge to be beyond the reach of his faculties, and leave to be discussed by High-Churchmen. Eighty-three peers immediately affixed their names to the amended form of association; and Rochester was among them. Nottingham, not yet quite satisfied, asked time for consideration.

Beyond the walls of Parliament there was none of this verbal quibbling. The language of the House of Commons was adopted by the whole country. The City of London led the way. Within thirty-six hours after the Association had been published under the direction of the Speaker, it was subscribed by the Lord Mayor, by the Aldermen, and by almost all the members of the Common Council. The municipal corporations all over the kingdom followed the example. The spring assizes were just beginning; and at every county-town the grand jurors and the justices of the peace put down their names. Soon shopkeepers, artisans, yeomen, farmers, husbandmen, came by thousands to the tables where the parchments were laid out. In Westminster there were thirty-seven thousand

<sup>1</sup> The best, indeed the only good, account of these debates is given by L'Hermitage, Feb. 28, 1696. He says, very truly: "La différence n'est qu'une dispute de mots, le droit qu'on a à une chose selon les loix estant aussy bon qu'il puisse estre."

associators: in the Tower Hamlets, eight thousand; in Southwark, eighteen thousand. The rural parts of Surrey furnished seventeen thousand. At Ipswich all the freemen signed except two. At Warwick all the male inhabitants who had attained the age of sixteen signed, except two Papists and two Quakers. At Taunton, where the memory of the Bloody Circuit was fresh, every man who could write gave in his adhesion to the government. All the churches and all the meeting-houses in the town were crowded, as they had never been crowded before, with people who came to thank God for having preserved him whom they fondly called William the Deliverer. Of all the counties of England, Lancashire was the most Jacobitical. Yet Lancashire furnished fifty thousand signatures. the great towns of England, Norwich was the most Jacobitical. The magistrates of that city were supposed to be in the interest of the exiled dynasty. The nonjurors were numerous, and had, just before the discovery of the plot, seemed to be in unusual spirits, and ventured to take unusual liberties. One of the chief divines of the schism had preached a sermon there which gave rise to strange suspicions. He had taken for his text the verse in which the Prophet Jeremiah announced that the day of vengeance was come, that the sword would be drunk with blood, that the Lord God of Hosts had a sacrifice in the north country by the river Euphrates. Very soon it was known that, at the time when this discourse was delivered, swords had actually been sharpening, under the direction of Barclay and Parkyns, for a bloody sacrifice on the north bank of the river Thames. The indignation of the common people of Norwich was not to be restrained. They came in multitudes, though discouraged by the municipal authorities, to plight faith to William, rightful and lawful King. In Norfolk the number of signatures amounted to forty-eight thousand; in Suffolk, to seventy thousand. Upward of five hundred rolls went up to London from every part of England. The number of names attached to twentyseven of those rolls appears, from the London Gazette, to have been three hundred and fourteen thousand. After making the largest allowance for fraud, it seems certain that the Association included the great majority of the adult male inhabitants of England who were able to sign their names. The tide of popular feeling was so strong that a man who was known not to have signed ran considerable risk of being publicly affronted. In many places nobody appeared without wearing in his hat a red ribbon on which were embroidered the words, "General Association for King William." Once a party of Jacobites had the courage to parade a street in London with an emblematic device which seemed to indicate their contempt for what they called the new Solemn League and Covenant. They were instantly put to rout by the mob, and their leader was well ducked. The enthusiasm spread to secluded isles, to factories in foreign countries, to remote colonies. The Association was signed by the rude fishermen of the Scilly Rocks, by the English merchants of Malaga, by the English merchants of Genoa, by the citizens of New York, by the tobacco-planters of Virginia, and by the sugar-planters of Barbadoes.1

Emboldened by success, the Whig leaders ventured <sup>1</sup> See the *London Gazettes* during several weeks; L'Hermitage, <sup>17</sup>/<sub>27</sub>, <sup>Mar. 24</sup>/<sub>April 3</sub>, April <sup>14</sup>/<sub>24</sub>, 1696; *Postman*, April 9, 25, 30.

to proceed a step farther. They brought into the Lower House a bill for the securing of the King's person and government. By this bill it was provided that whoever, while the war lasted, should come from France into England without the royal license should incur the penalties of treason, that the suspension of the Habeas Corpus Act should continue to the end of the year 1696, and that all functionaries appointed by William should retain their offices, notwithstanding his death, till his successor should be pleased to dismiss them. The form of Association which the House of Commons had adopted was solemnly ratified; and it was provided that no person should sit in that House, or should hold any office, civil or military, without signing. The Lords were indulged in the use of their own form; and nothing was said about the clergy.

The Tories, headed by Finch and Seymour, complained bitterly of this new test, and ventured once to divide, but were defeated. Finch seems to have been heard patiently: but, notwithstanding all Seymour's eloquence, the contemptuous manner in which he spoke of the Association raised a storm against which he could not stand. Loud cries of "the Tower! the Tower!" were heard. Haughty and imperious as he was, he was forced to explain away his words, and could scarcely, by apologizing in a manner to which he was little accustomed, save himself from the humiliation of being called to the bar and reprimanded on his knees. The bill went up to the Lords, and passed with great speed in spite of the opposition of Rochester and Nottingham.

<sup>&</sup>lt;sup>1</sup> Journals of the Commons and Lords; L'Hermitage, April  $\frac{7}{17}$ ,  $\frac{10}{20}$ , 1696.

The nature and extent of the change which the discovery of the Assassination Plot had produced in the temper of the House of Commons and of the nation is strikingly illustrated by the history of a bill entitled a Bill for the further Regulation of Elections of Members of Parliament.

The moneyed interest was almost entirely Whig, and was therefore an object of dislike to the Tories. rapidly growing power of that interest was Bill for the generally regarded with jealousy by land-Regulation of Elections. owners, whether they were Whigs or Tories. It was something new and monstrous to see a trader from Lombard Street, who had no tie to the soil of our island, and whose wealth was entirely personal and movable, post down to Devonshire or Sussex with a portmanteau full of guineas, offer himself as candidate for a borough in opposition to a neighboring gentleman whose ancestors had been regularly returned ever since the Wars of the Roses, and come in at the head of the poll. Yet even this was not the worst. More than one seat in Parliament, it was said, had been bought and sold over a dish of coffee at Garraway's. purchaser had not been required even to go through the form of showing himself to the electors. Without leaving his counting-house in Cheapside, he had been chosen to represent a place which he had never seen. Such things were intolerable. No man, it was said, ought to sit in the English legislature who was not master of some hundreds of acres of English ground.1

<sup>&</sup>lt;sup>1</sup> See The Freeholder's Plea against Stock-jobbing Elections of Parliament Men, and The Considerations upon Corrupt Elections of Members to Serve in Parliament. Both these pamphlets were published in 1701.

A bill was accordingly brought in for excluding from the House of Commons every person who had not a certain estate in land. For a knight of a shire, the qualification was fixed at five hundred a year; for a burgess, at two hundred a year. Early in February this bill was read a second time, and referred to a Select Committee. A motion was made that the Committee should be instructed to add a clause enacting that all elections should be by ballot. Whether this motion proceeded from a Whig or from a Tory, by what arguments it was supported, and on what grounds it was opposed, we have now no means of discovering. We know only that it was rejected without a division.

Before the bill came back from the Committee, some of the most respectable constituent bodies in the kingdom had raised their voices against the new restriction, to which it was proposed to subject them. There had in general been little sympathy between the commercial towns and the Universities. For the commercial towns were the chief seats of Whiggism and Non-conformity; and the Universities were zealous for the Crown and the Church. Now, however, Oxford and Cambridge made common cause with London and Bristol. It was hard, said the Academics, that a grave and learned man, sent by a large body of grave and learned men to the Great Council of the nation, should be thought less fit to sit in that Council than a boozing clown who had scarcely literature enough to entitle him to the benefit of clergy. It was hard, said the traders, that a merchant prince, who had been the first magistrate of the first city in the world, whose name on the back of a bill commanded entire confidence at Smyrna and at Genoa. at Hamburg and at Amsterdam, who had at sea ships every one of which was worth a manor, and who had repeatedly, when the liberty and religion of the kingdom were in peril, advanced to the government, at an hour's notice, five or ten thousand pounds, should be supposed to have a less stake in the prosperity of the commonwealth than a squire who sold his own bullocks and hops over a pot of ale at the nearest market-town. On the report, it was moved that the Universities should be excepted: but the motion was lost by a hundred and fifty-one votes to a hundred and forty-three. On the third reading, it was moved that the City of London should be excepted: but it was not thought advisable to divide. The final question, that the bill do pass, was carried by a hundred and seventy-three votes to a hundred and fifty, on the day which preceded the discovery of the Assassination Plot. The Lords agreed to the bill without any amendment.

William had to consider whether he would give or withhold his consent. The commercial towns of the kingdom, and among them the City of London, which had always stood firmly by him, and which had extricated him many times from great embarrassments, implored his protection. It was represented to him that the Commons were far indeed from being unanimous on this subject; that, in the last stage, the majority had been only twenty-three in a full House; that the motion to except the Universities had been lost by a majority of only eight. On full consideration, he resolved not to pass the bill. Nobody, he said, could accuse him of acting selfishly on this occasion: his prerogative was not concerned in the matter; and he could have no objection to the proposed law except that it would be mischievous to his people.

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On the tenth of April, 1696, therefore, the clerk of the Parliament was commanded to inform the Houses that His Majesty would consider the Bill for the further Regulation of Elections. Some violent Tories in the House of Commons flattered themselves that they might be able to carry a resolution reflecting on the King. They moved that whoever had advised him to refuse his assent to their bill was an enemy to him and to the nation. Never was a greater blunder committed. The temper of the House was very different from what it had been on the day when the address against Portland's grant had been voted by acclamation. detection of a murderous conspiracy, the apprehension of a French invasion, had changed everything. William was popular. Every day ten or twelve bales of parchment covered with the signatures of associators were laid at his feet. Nothing could be more imprudent than to propose, at such a time, a thinly disguised vote of censure on him. The moderate Tories accordingly separated themselves from their angry and unreasonable brethren. The motion was rejected by two hundred and nineteen votes to seventy; and the House ordered the question and the numbers on both sides to be published, in order that the world might know how completely the attempt to produce a quarrel between the King and his Parliament had failed.1

The country gentlemen might perhaps have been more inclined to resent the loss of their bill, had they not been put into high good-humor by the passing of

<sup>&</sup>lt;sup>1</sup> The history of this bill will be found in the *Journals* of the Commons, and in a very interesting despatch of L'Hermitage, April  $\frac{14}{24}$ , 1696. The bill itself is among the Archives of the House of Lords.

another bill which they considered as even more important. The project of a Land Bank had been revived, in a form less shocking to commonsense and less open to ridicule than that lishing a which had, two years before, been under the consideration of the House of Commons. Chamberlayne, indeed, protested loudly against all modifications of his plan, and proclaimed, with undiminished confidence, that he would make all his countrymen rich if they would only let him. He was not, he said, the first great discoverer whom princes and statesmen had regarded as a dreamer. Henry the Seventh had, in an evil hour, refused to listen to Christopher Columbus; and the consequence had been that England had lost the mines of Mexico and Peru. But what were the mines of Mexico and Peru to the riches of a nation blessed with an unlimited paper-currency? By this time, however, the united force of reason and ridicule had reduced the once numerous sect which followed Chamberlayne to a small and select company of incorrigible fools. Few even of the squires now believed in his two great doctrines—the doctrine that the State can, by merely calling a bundle of old rags ten millions sterling, add ten millions sterling to the riches of the nation; and the doctrine that a lease of land for a term of years may be worth many times the fee-simple. But it was still the general opinion of the country gentlemen that a bank, of which it should be the special business to advance money on the security of land, might be a great blessing to the nation. Harley and the Speaker Foley now proposed that such a bank should be established by Act of Parliament, and promised that, if their plan was adopted, the King

should be amply supplied with money for the next campaign.

The Whig leaders, and especially Montague, saw that the scheme was a delusion, that it must speedily fail, and that, before it failed, it might not improbably ruin their own favorite institution, the Bank of England. But on this point they had against them, not only the whole Tory party, but also their master and many of their followers. The necessities of the State were pressing. The offers of the projectors were tempting. The Bank of England had, in return for its charter, advanced to the State only one million at eight per cent. The Land Bank would advance more than two millions and a half at seven per cent. William, whose chief object was to procure money for the service of the year, was little inclined to find fault with any source from which two millions and a half could be obtained. Sunderland, who generally exerted his influence in favor of the Whig leaders, failed them on this occasion. The Whig country gentlemen were delighted by the prospect of being able to repair their stables, replenish their cellars, and give portions to their daughters. It was impossible to contend against such a combination of force. A bill was passed which authorized the government to borrow two million five hundred and sixty-four thousand pounds at seven per cent. A fund, arising chiefly from a new tax on salt, was set apart for the payment of the interest. If, before the first of August, the subscription for one-half of this loan should have been filled, and if one-half of the sum subscribed should have been paid into the Exchequer. the subscribers were to become a corporate body, under the name of the National Land Bank. As this bank

was expressly intended to accommodate country gentlemen, it was strictly interdicted from lending money on any private security other than a mortgage of land, and was bound to lend on mortgage at least half a million annually. The interest on this half million was not to exceed three and a half per cent., if the payments were quarterly, or four per cent. if the payments were half-yearly. At that time the market rate of interest on the best mortgages was full six per cent. The shrewd observers at the Dutch Embassy, therefore, thought that the subscription would never be half filled up; and it seems strange that any sane person should have thought otherwise.

It was vain, however, to reason against the general infatuation. The Tories exultingly predicted that the Bank of Robert Harley would completely eclipse the Bank of Charles Montague. The bill passed both Houses. On the twenty-seventh of April it received the royal assent; and the Parliament was immediately afterward prorogued.

<sup>1</sup> The act is 7 & 8 Will. 3, c. 31. Its history may be traced in the *Journals*.





## CHAPTER XXII

WILLIAM THE THIRD (Continued)

N the seventh of May, 1696, William landed in Holland.1 Thence he proceeded to Flanders, and took the command of the allied forces, which were collected in the neighborhood of Ghent. Villeroy and Boufflers were already in the field. All Military Europe waited impatiently for great news operations from the Netherlands, but waited in vain. in the Netherlands. No aggressive movement was made. object of the generals on both sides was to keep their troops from dying of hunger; and it was an object by no means easily attained. The treasuries both of France and England were empty. Lewis had, during the winter, created with great difficulty and expense a gigantic magazine at Givet, on the frontier of his king-The buildings were commodious, and of vast extent. The quantity of provender laid up in them for horses was immense. The number of rations for men was commonly estimated at from three to four millions. But early in the spring Athlone and Cohorn had, by a bold and dexterous move, surprised Givet, and had

<sup>1</sup> London Gazette, May 4, 1696.

utterly destroyed both storehouses and stores. France, already fainting from exhaustion, was in no condition to repair such a loss. Sieges such as those of Mous and Namur were operations too costly for her means. The business of her army now was, not to conquer, but to subsist.

The army of William was reduced to straits not less painful. The material wealth of England, indeed, had not been very seriously impaired by the drain which the war had caused: but she was suffering severely from the defective state of that instrument by which her material wealth was distributed.

Saturday, the second of May, had been fixed by Parliament as the last day on which the clipped crowns, commercial half-crowns, and shillings were to be received by tale in payment of taxes. The England. Exchequer was besieged from dawn till midnight by an immense multitude. It was necessary to call in the guards for the purpose of keeping order. On the following Monday began a cruel agony of a few months, which was destined to be succeeded by many years of almost unbroken prosperity.

Most of the old silver had vanished. The new silver had scarcely made its appearance. Several millions sterling, in ingots and hammered coins, were lying

<sup>&</sup>lt;sup>1</sup> London Gazette, March 12, 16, 1696; Monthly Mercury for March, 1696.

<sup>&</sup>lt;sup>2</sup> The act provided that the clipped money must be brought in before the fourth of May. As the third was a Sunday, the second was practically the last day.

<sup>&</sup>lt;sup>3</sup> L'Hermitage, May  $\frac{5}{15}$ , 1696; London News-letter, May 4, May 6. In the News-letter the fourth of May is mentioned as "the day so much taken notice of for the universal concern people had in it."

in the vaults of the Exchequer; and the milled money as yet came forth very slowly from the Mint.¹ Alarmists predicted that the wealthiest and most enlightened kingdom in Europe would be reduced to the state of those barbarous societies in which a mat is bought with a hatchet, and a pair of moccasins with a piece of venison.

There were, indeed, some hammered pieces which had escaped mutilation; and sixpences not clipped within the innermost ring were still current. This old money and the new money together made up a scanty stock of silver, which, with the help of gold, was to carry the nation through the summer and autumn.2 The manufacturers generally contrived, though with extreme difficulty, to pay their workmen in coin.3 The upper classes seem to have lived to a great extent on Even an opulent man seldom had the means of discharging the weekly bills of his baker and butcher.4 A promissory note, however, subscribed by such a man, was readily taken in the district where his means and The notes of the wealthy character were well known. money-changers of Lombard Street circulated widely.5

<sup>&</sup>lt;sup>1</sup> London News-letter, May 21, 1696; Old Postmaster, June 25; L'Hermitage, May  $\frac{19}{29}$ .

<sup>&</sup>lt;sup>2</sup> Haynes's Brief Memoirs, Lansdowne MSS., 801.

<sup>&</sup>lt;sup>3</sup> See the petition from Birmingham in the Commons' Journals, Nov. 12, 1696; and the petition from Leicester, Nov. 21.

<sup>4&</sup>quot; Money exceeding scarce, so that none was paid or received: but all was on trust."—Evelyn, May 13. And again, on June 11: "Want of current-money to carry on the smallest concerns, even for daily provisions in the markets.

 $<sup>^5</sup>$  L'Hermitage,  $\frac{\text{May 22.}}{\text{June 1.}}$  See a letter of Dryden to Tonson, which Malone, with great probability, supposes to have been written at this time.

The paper of the Bank of England did much service. and would have done more, but for the unhappy error into which the Parliament had recently been led by Harley and Foley. The confidence which the public had felt in that powerful and opulent Company had been shaken by the act which established the Land Bank. It might well be doubted whether there would be room for the two rival institutions; and of the two. the younger seemed to be the favorite of the government and of the legislature. The price of the stock of the Bank of England had gone rapidly down from a hundred and ten to eighty-three. Meanwhile the goldsmiths, who had from the first been hostile to that great corporation, were plotting against it. They collected its paper from every quarter; and on the fourth of May, when the Exchequer had just swallowed up most of the old money, and when scarcely any of the new money had been issued, they flocked to Grocers' Hall, and insisted on immediate payment. A single goldsmith demanded thirty thousand pounds. Directors, in this extremity, acted wisely and firmly. They refused to cast the notes which had been thus maliciously presented, and left the holders to seek a remedy in Westminster Hall. Other creditors, who came in good faith to ask for their due, were paid. The conspirators affected to triumph over the powerful body, which they hated and dreaded. The bank which had recently begun to exist under such splendid auspices, which had seemed destined to make a revolution in commerce and in finance, which had been the boast of London and the envy of Amsterdam, was already insolvent, ruined, dishonored. Wretched pasquinades were published: the Trial of the Land Bank for Murdering the Bank of England, the last Will and Testament of the Bank of England, the Epitaph of the Bank of England, the Inquest on the Bank of England. But, in spite of all this clamor and all this wit, the correspondents of the States-general reported that the Bank of England had not really suffered in the public esteem, and that the conduct of the goldsmiths was generally condemned.<sup>1</sup>

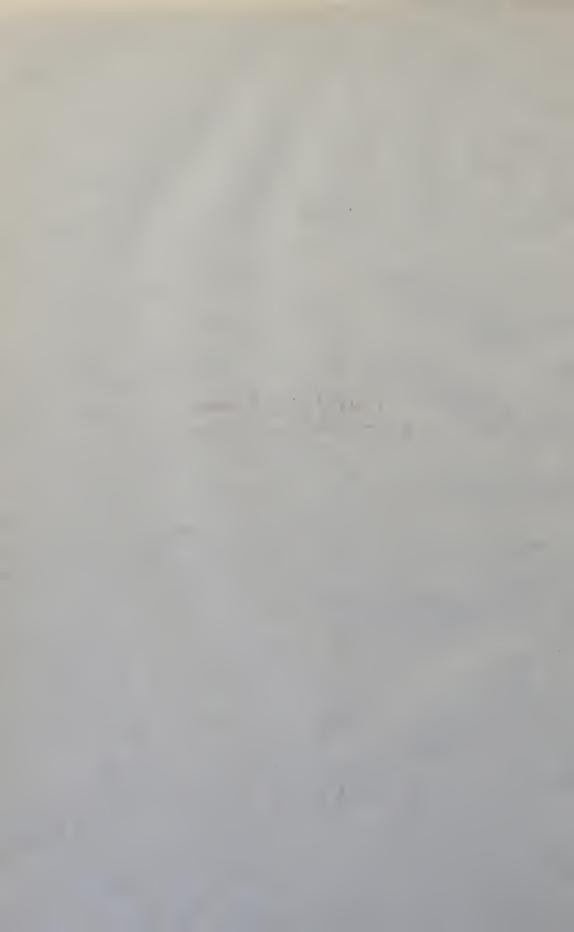
The Directors soon found it impossible to procure silver enough to meet every claim which was made on them in good faith. They then bethought them of a new expedient. They made a call of twenty per cent. on the proprietors, and thus raised a sum which enabled them to give every applicant fifteen per cent. in milled money on what was due to him. They returned him his note, after making a minute upon it that part had been paid.<sup>2</sup> A few notes thus marked are still preserved among the archives of the Bank as memorials of that terrible time. The paper of the Corporation continued to circulate: but the value fluctuated violently from day to day, and indeed from hour to hour; for the public mind was in so excitable a state that the most absurd lie which a stock-jobber could invent sufficed to send the price up or down. One week the discount was only six per cent.; in another week, twentyfour per cent. A ten-pound note, which had been taken in the morning as worth more than nine

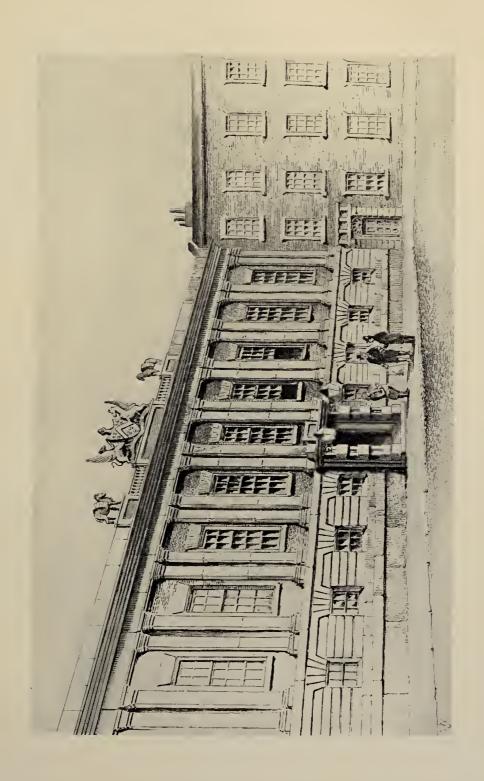
<sup>&</sup>lt;sup>1</sup>L'Hermitage to the States-general, May  $\frac{8}{18}$ ; Luttrell's Diary, May 7; Paris Gazette, June  $\frac{2}{12}$ ; Trial and Condemnation of the Land Bank at Exeter Change for Murdering the Bank of England at Grocers' Hall, 1696. The Will and the Epitaph will be found in the Trial.

<sup>&</sup>lt;sup>2</sup> L'Hermitage, June ½, 1696.

Grocers' Hall, London.

Redrawn from the " European Magazine."







pounds, was often worth less than eight pounds before night.

Another, and, at that conjuncture, a more effectual substitute for a metallic currency, owed its existence to the ingenuity of Charles Montague. He had succeeded in engrafting on Harley's Land Bank Bill a clause which empowered the government to issue negotiable paper bearing interest at the rate of threepence a day on a hundred pounds. In the midst of the general distress and confusion appeared the first Exchequer Bills. drawn for various amounts, from a hundred pounds down to five pounds. These instruments were rapidly distributed over the kingdom by the post, and were everywhere welcome. The Jacobites talked violently against them in every coffee-house, and wrote much detestable verse against them, but to little purpose. The success of the plan was such, that the Ministers at one time resolved to issue twenty-shilling bills, and even fifteen-shilling bills, for the payment of the troops. But it does not appear that this resolution was carried into effect.2

¹ On this subject see the Short History of the Last Parliament, 1699; Narcissus Luttrell's Diary; the newspapers of 1696, passim, and the letters of L'Hermitage, passim. See also the petition of the Clothiers of Gloucester in the Commons' Journals, Nov. 27, 1696. Oldmixon, who had been himself a sufferer, writes on this subject with even more than his usual acrimony.

<sup>2</sup> See L'Hermitage, June <sup>12</sup>/<sub>22</sub>, <sup>June 23</sup>, <sup>June 26</sup>, Aug. <sup>1</sup>/<sub>11</sub>, <sup>Aug. 28</sup>, <sup>Sept. 7</sup>, 1696; Luttrell's *Diary*, Aug. 4. The *Postman* of August 15 mentions the great benefit derived from the Exchequer Bills. The *Pegasus* of August 24 says: "The Exchequer Bills do more and more obtain with the public; and 't is no wonder." The *Pegasus* of Aug. 28 says: "They pass as money from hand to

It is difficult to imagine how, without the Exchequer Bills, the government of the country could have been carried on during that year. Every source of revenue had been affected by the state of the currency; and one source, on which the Parliament had confidently reckoned for the means of defraying more than half the charge of the war, had yielded not a single farthing.

The sum expected from the Land Bank was near two million six hundred thousand pounds. Of this sum one-half was to be subscribed, and one Financial quarter paid up by the first of August. crisis. The King, just before his departure, had signed a warrant appointing certain commissioners, among whom Harley and Foley were the most eminent. to receive the names of the contributors.1 A great meeting of persons interested in the scheme was held in the Hall of the Middle Temple. One office was opened at Exeter Change, another at Mercers' Hall. Forty agents went down into the country, and announced to the lauded gentry of every shire the approach of the golden age of high rents and low interest.

hand: 't is observed that such as cry them down are ill affected to the government." "They are found by experience," says the *Postman* of the seventh of May following, "to be of extraordinary use to the merchants and traders of the City of London, and all other parts of the kingdom." I will give one specimen of the unmetrical and almost unintelligible doggerel which the Jacobite poets published on this subject:

"Pray, sir, did you hear of the late proclamation,
Of sending paper for payment quite thro' the nation?
Yes, sir, I have: they 're your Montague's notes,
Tinctured and colored by your Parliament votes.
But 't is plain on the people to be but a toast,
They come by the carrier and go by the post."

<sup>1</sup> Commons' Journals, Nov. 25, 1696.

The Council of Regency, in order to set an example to the nation, put down the King's name for five thousand pounds; and the newspapers assured the world that the subscription would speedily be filled. But when three weeks had passed away, it was found that only fifteen hundred pounds had been added to the five thousand contributed by the King. Many wondered at this: yet there was little cause for wonder. sum which the friends of the project had undertaken to raise was a sum which only the enemies of the project could furnish. The country gentlemen wished well to Harley's scheme: but they wished well to it because they wanted to borrow money on easy terms: and, wanting to borrow money, they of course were not able to lend it. The moneyed class alone could supply what was necessary to the existence of the Land Bank: and the Land Bank was avowedly intended to diminish the profits, to destroy the political influence, and to lower the social position of the moneyed class. As the usurers did not choose to take on themselves the expense of putting down usury, the whole plan failed in a manner which, if the aspect of public affairs had been less alarming, would have been exquisitely ludicrous. The day drew near. The neatly ruled pages of the subscription-book at Mercers' Hall were still The Commissioners stood aghast. distress they applied to the government for indulgence. Many great capitalists, they said, were desirous to subscribe, but stood aloof because the terms were too hard. There ought to be some relaxation. Council of Regency consent to an abatement of three

 $<sup>^1</sup>$ L'Hermitage, June  $_{12}^2$ , 1696; Commons' Journals, Nov. 25; Postman, May 5, June 4, July 2.

hundred thousand pounds? The finances were in such a state, and the letters in which the King represented his wants were so urgent, that the Council of Regency hesitated. The Commissioners were asked whether they would engage to raise the whole sum, with this abatement. Their answer was unsatisfactory. They did not venture to say that they could command more than eight hundred thousand pounds. The negotiation was, therefore, broken off. The first of August came; and the whole amount contributed by the whole nation to the magnificent undertaking from which so much had been expected was two thousand one hundred pounds.

Just at this conjuncture Portland arrived from the Continent. He had been sent by William with charge to obtain money, at whatever cost, and from whatever quarter. The King had strained his private credit in Holland to procure bread for his army. But all was insufficient. He wrote to his Ministers that, unless they could send him a speedy supply, his troops would either rise in mutiny or desert by thousands. knew, he said, that it would be hazardous to call Parliament together during his absence. But, if no resource could be devised, that hazard must be run.2 The Council of Regency, in extreme embarrassment. began to wish that the terms, hard as they were, which had been offered by the Commissioners at Mercers' Hall had been accepted. The negotiation was renewed. Shrewsbury, Godolphin, and Portland, as agents for the King, had several conferences with Harley and

<sup>&</sup>lt;sup>1</sup> L'Hermitage, July  $\frac{3}{13}$ ,  $\frac{10}{20}$ , 1696; Commons' Journals, Nov. 25; Paris Gazette, June 30, August 25; Old Postmaster, July 9. 
<sup>2</sup> William to Heinsius, July 30, 1696; William to Shrewsbury, July 23, 30, 31.

Foley, who had recently pretended that eight hundred thousand pounds were ready to be subscribed to the Land Bank. The Ministers gave assurances that if, at this conjuncture, even half that sum were advanced, those who had done this service to the State should, in the next session, be incorporated as a National Land Bank. Harley and Foley at first promised, with an air of confidence, to raise what was required. But they soon went back from their word: they showed a great inclination to be punctilious and quarrelsome about trifles: at length the eight hundred thousand pounds dwindled to forty thousand; and even the forty thousand could be had only on hard conditions.¹ So ended the great delusion of the Land Bank. The commission expired, and the offices were closed.

And now the Council of Regency, almost in despair, had recourse to the Bank of England. Two hundred thousand pounds was the very smallest sum which would suffice to meet the King's most pressing wants. Would the Bank of England advance that sum? 'The capitalists who had the chief sway in the corporation were in bad-humor, and not without reason. But fair words, earnest entreaties, and large promises were not spared: all the influence of Montague, which was justly great, was exerted: the Directors promised to do their best: but they apprehended that it would be impossible for them to raise the money without making a second call of twenty per cent. on their constituents. It was necessary that the question should be submitted to a General Court: in such a court more than six hundred persons were entitled to vote; and the result might

 $<sup>^1\,\</sup>mathrm{Shrewsbury}$  to William, July 28, 31, Aug. 4, 1696; L'Hermitage, Aug.  $^1_{11}.$ 

well be doubted. The proprietors were summoned to meet on the fifteenth of August at Grocers' Hall. During the painful interval of suspense, Shrewsbury wrote to his master in language more tragic than is often found in official letters: " If this should not succeed. God knows what can be done. Anything must be tried and ventured rather than lie down and die." 1 On the fifteenth of August, a great epoch in the history of the bank, the General Court was held. In the chair sat Sir John Houblon, the Governor, who was also Lord Mayor of London, and, what would in our time be thought strange, a Commissioner of the Admiralty. Sir John, in a speech, every word of which was in writing, and had been carefully considered by the Directors, explained the case, and implored the assembly to stand by King William. There was at first a little murmuring. "If our notes would do," it was said, "we should be most willing to assist His Majesty: but two hundred thousand pounds in hard money at a time like this—'' The Governor announced explicitly that nothing but gold or silver would supply the necessities of the army in Flanders. At length the question was put to the vote; and every hand in the Hall was held up for sending the money. The letters from the Dutch Embassy informed the States-general that the events of that day had bound the Bank and the government in close alliance, and that several Ministers had. immediately after the meeting, purchased stock merely in order to give a pledge of their attachment to the body which had rendered so great a service to the State.2

<sup>&</sup>lt;sup>1</sup> Shrewsbury to William, Aug. 7, 1696; L'Hermitage, Aug. <sup>14</sup>/<sub>24</sub>; London Gazette, Aug. 13.

 $<sup>^{2}</sup>$  L'Hermitage, Aug.  $\frac{18}{28}$ , 1696. Among the records of the

Meanwhile strenuous exertions were making to hasten the recoinage. Since the Restoration, the Mint had, like every other public establishment Efforts to in the kingdom, been a nest of idlers and restore the currency. jobbers. The important office of Warden. worth between six and seven hundred a year, then a handsome independence, had become a mere sinecure. and had been filled by a succession of fine gentlemen. who were well known at the hazard-table of Whitehall. but who never condescended to come near the Tower. This office had just become vacant, and Montague had obtained it for Newton. The ability, the industry, and the strict uprightness of the great philosopher speedily produced a complete revolution throughout the department which was under his direction.2 He

Bank is a resolution of the Directors prescribing the very words which Sir John Houblon was to use. William's sense of the service done by the Bank on this occasion is expressed in his letter to Shrewsbury, of Aug. 24. One of the Directors, in a letter concerning the Bank, printed in 1697, says, "The Directors could not have answered it to their members, had it been for any less occasion than the preservation of the kingdom."

<sup>1</sup> Haynes's *Brief Memoires*; Landsdowne MSS., 801. Montague's friendly letter to Newton, announcing the appointment, has been repeatedly printed. It bears date March 19, 1695.

<sup>2</sup> I have very great pleasure in quoting the words of Haynes, an able, experienced, and practical man, who had been in the habit of transacting business with Newton. They have never, I believe, been printed. "Mr. Isaac Newton, public Professor of the Mathematicks in Cambridge, the greatest philosopher and one of the best men of this age, was, by a great and wise statesman, recommended to the favour of the late King for Warden of the King's Mint and Exchanges, for which he was peculiarly qualified, because of his extraordinary skill in numbers, and his great integrity, by the first of which he could vol. IX.—13.

devoted himself to his task with an activity which left him no time to spare for those pursuits in which he had surpassed Archimedes and Galileo. Till the great work was completely done, he resisted firmly, and almost angrily, every attempt that was made by men of science, here or on the Continent, to draw him away from his The old officers of the Mint had official duties.1 thought it a great feat to coin silver to the amount of fifteen thousand pounds in a week. When Montague talked of thirty or forty thousand, these men of form and precedent pronounced the thing impracticable. But the energy of the young Chancellor of the Exchequer and of his friend the Warden accomplished far greater wonders. Soon nineteen mills were going at once in the Tower. As fast as men could be trained to

judge correctly of the Mint accounts and transactions as soon as he eutered upon his office; and by the latter—I mean his integrity—he sett a standard to the conduct and behaviour of every officer and clerk in the Mint. Well had it been for the publick, had he acted a few years sooner in that situation." It is interesting to compare this testimony, borne by a man who thoroughly understood the business of the Mint, with the child-ish talk of Pope, as reported by Spence. "Sir Isaac Newton," said Pope, "though so deep in algebra and fluxions, could not readily make up a common account; and, whilst he was Master of the Mint, used to get somebody to make up the accounts for him." Some of the statesmen with whom Pope lived might have told him that it is not always from ignorance of arithmetic that persous at the head of great departments leave to clerks the business of casting up pounds, shillings, and pence.

"I do not love," he wrote to Flamsteed, "to be printed on every occasion, much less to be dunned and teased by foreigners about mathematical things, or to be thought by our own people to be trifling away my time about them, when I am about the King's business."

the work in London, bands of them were sent off to other parts of the kingdom. Mints were established at Bristol, York, Exeter, Norwich, and Chester. arrangement was in the highest degree popular. machinery and the workmen were welcomed to the new stations with the ringing of bells and the firing of guns. The weekly issue increased to sixty thousand pounds, to eighty thousand, to a hundred thousand, and at length to a hundred and twenty thousand.1 Yet even this issue, though great, not only beyond precedent, but beyond hope, was scanty when compared with the demands of the nation. Nor did all the newly stamped silver pass into circulation: for during the summer and autumn those politicians who were for raising the denomination of the coin were active and clamorous; and it was generally expected that, as soon as the Parliament should reassemble, a strong effort would be made to carry a law enacting that ninepence should be a shilling. Of course no person who thought it probable that he should, at a day not far distant, be able to pay a debt of a pound with three crown-pieces instead of four, was willing to part with a crown-piece till that Most of the milled pieces were therefore day arrived. hoarded.2 May, June, and July passed away without any perceptible increase in the quantity of good money. It was not till August that the keenest observer could discern the first faint signs of returning prosperity.3

<sup>&</sup>lt;sup>1</sup> Hopton Haynes's *Brief Memoires*; Lansdowne MSS., 801; the *Old Postmaster*, July 4, 1696; the *Postman*, May 30, July 4, September 12, 19, October 8; Luttrell's *Diary* and L'Hermitage's despatches of this summer and autumn, *passim*.

<sup>&</sup>lt;sup>2</sup> Paris Gazette, Aug. 11, 1696.

<sup>&</sup>lt;sup>3</sup> On the 7th of August L'Hermitage remarked for the first time that money seemed to be more abundant.

The distress of the common people was severe, and was aggravated by the follies of magistrates and by the arts of malcontents. The Lords-justices, by Distress of an order in Council, exhorted gentlemen the people; their temper who were in the Commission of the Peace to and conduct. hold frequent meetings, and to see that both the laws for the relief of the poor and the laws for the repression of vagrancy and rioting were effectually put into execution.1 Those gentlemen were therefore unusually active, through this trying summer, in every part of the country; nor can it be doubted that their activity was on the whole beneficial. But, unfortunately, many of them, not content with discharging their proper functions, took upon them to administer a strange sort of equity; and as no two of these rural Prætors had exactly the same notion of what was equitable, their edicts added confusion to confusion. In one parish people were, in outrageous violation of the law, threatened with the stocks, if they refused to take clipped shillings by tale. In the next parish it was dangerous to pay such shillings except by weight.2 The enemies of the government, at the same time, labored indefatigably in their vocation. They harangued in every place of public resort, from the Chocolate House in Saint James's Street to the sanded kitchen

<sup>&</sup>lt;sup>1</sup> London Gazette, July 6, 1696; Narcissus Luttrell's Diary.

<sup>&</sup>lt;sup>2</sup> Compare Edmund Bohun's Letter to Carey of the 31st of July, 1696, with the *Paris Gazette* of the same date. Bohun's description of the state of Suffolk is colored, no doubt, by his constitutionally gloomy temper, and by the feeling with which he, not unnaturally, regarded the House of Commons. His statistics are not to be trusted, and his predictions were signally falsified. But he may be believed as to plain facts which happened in his own parish.

of the ale-house on the village green. In verse and prose they incited the suffering multitude to rise up in rebellion. Of the tracts which they published at this time, the most remarkable was written by a deprived priest named Grascombe, of whose ferocity and scurrility the most respectable nonjurors had long been ashamed. He now did his best to persuade the rabble to tear in pieces those members of Parliament who had voted for the restoration of the currency.1 It would be too much to say that the malignant industry of this man, and of men like him, produced no effect on a population which was doubtless severely tried. There were tumults in several parts of the country, but tumults which were suppressed with little difficulty, and, as far as can be discovered, without the shedding of a drop of blood.2 In one place a crowd of poor ignorant creatures, excited by some knavish agitator, besieged the house of a Whig member of Parliament, and clamorously insisted on having their short money changed. The gentlemen consented, and desired to know how much they had brought. After some delay, they were able to produce a single clipped half-crown.<sup>3</sup>

<sup>&</sup>lt;sup>1</sup> As to Grascombe's character, and the opinion entertained of him by the most estimable Jacobites, see the *Life of Kettlewell*, Part III., section 55. Lee, the compiler of that work, mentions with just censure some of Grascombe's writings, but makes no allusion to the worst of them, the *Account of the Proceedings in the House of Commons in Relation to the Recoining of the Clipped Money*, and *Falling the Price of Guineas*. That Grascombe was the author, was proved before a Committee of the House of Commons. See the *Journals*, Nov. 30, 1696.

 $<sup>^2</sup>$  L'Hermitage, June  $\frac{12}{22}$ , July  $\frac{7}{17}$ , 1696.

<sup>&</sup>lt;sup>3</sup> See the Answer to Grascombe, entitled Reflections on a Scandalous Libel.

Such disturbances as this were at a distance exaggerated into insurrections and massacres. At Paris it was gravely asserted in print that, in an English town which was not named, a soldier and a butcher had quarrelled about a piece of money, that the soldier had killed the butcher, that the butcher's man had snatched up a cleaver and killed the soldier, that a great fight had followed, and that fifty dead bodies had been left on the ground.1 The truth was that the behavior of the great body of the people was beyond all praise. The Judges, when, in September, they returned from their circuits, reported that the temper of the nation was excellent.2 There was a patience, a reasonableness, a good nature, a good faith, which nobody had anticipated. Everybody felt that nothing but mutual help and mutual forbearance could prevent the dissolution of society. A hard creditor, who sternly demanded payment to the day in milled money, was pointed at in the streets, and was beset by his own creditors with demands which soon brought him to reason. Much uneasiness had been felt about the troops. It was scarcely possible to pay them regularly: if they were not paid regularly, it might well be apprehended that they would supply their wants by rapine; and such rapine it was certain that the nation, altogether unaccustomed to military exaction and oppression, would not tamely endure. But, strange to say, there was, through this cruel year, a better understanding than had ever been known between the soldiers and the rest of the community. The gentry, the farmers, the shopkeepers. supplied the redcoats with necessaries in a manner so

<sup>&</sup>lt;sup>1</sup> Paris Gazette, Sept. 15, 1696.

<sup>&</sup>lt;sup>2</sup> L'Hermitage, Oct. <sup>2</sup>/<sub>12</sub>, 1696.

friendly and liberal that there was no brawling and no marauding. "Severely as these difficulties have been felt," L'Hermitage writes, "they have produced one happy effect: they have shown how good the spirit of the country is. No person, however favorable his opinion of the English may have been, could have expected that a time of such suffering would have been a time of such tranquillity."

Some men, who loved to trace, in the strangely complicated maze of human affairs, the marks of more than human wisdom, were of opinion that, but for the interference of a gracious Providence, the plan so elaborately devised by great statesmen and great philosophers would have failed completely and ignominiously. Often, since the Revolution, the English had been sullen and querulous, unreasonably jealous of the Dutch, and disposed to put the worst construction on every act of the King. Had the fourth of May found our ancestors in such a mood, it can scarcely be doubted that sharp distress, irritating minds already irritable, would have caused an outbreak, which must have shaken, and might have subverted, the throne of Wil-Happily, at the moment at which the loyalty of the nation was put to the most severe test, the King was more popular than he had ever been since the day on which the crown was tendered to him in the Banqueting-house. The plot which had been laid against his life had excited general disgust and horror. His reserved manners, his foreign attachments, were forgotten. He had become an object of personal interest and of personal affection to his people. They were everywhere coming in crowds to sign the instrument

<sup>1</sup> L'Hermitage, July  $\frac{10}{30}$ , Oct.  $\frac{2}{12}$ ,  $\frac{9}{19}$ , 1696.

which bound them to defend and to avenge him. They were everywhere carrying about in their hats the badges of their loyalty to him. They could hardly be restrained from inflicting summary punishment on the few who still dared openly to question his title. bite was now a synonyme for cut-throat. Noted Jacobite laymen had just planned a foul murder. Noted Tacobite priests had, in the face of day, and in the administration of a solemn ordinance of religion, indicated their approbation of that murder. Many honest and pious men, who thought that their allegiance was still due to Tames, had indignantly relinquished all connection with zealots who seemed to think that a righteous end justified the most unrighteous means. Such was the state of public feeling during the summer and autumn of 1696; and therefore it was that hardships which, in any of the seven preceding years, would certainly have produced a rebellion, and might perhaps have produced a counter-revolution, did not produce a single riot too serious to be suppressed by the constable's staff.

Nevertheless, the effect of the commercial and financial crisis in England was felt through all the fleets and armies of the coalition. The great Negotiations source of subsidies was dry. No important the Duke of military operation could anywhere be atsavoy deserts the coalition. Meanwhile overtures tending to peace had been made; and a negotiation had been opened. Caillieres, one of the ablest of the many able envoys in the service of France, had been sent to the Netherlands, and had held many conferences with Dykvelt. Those conferences might perhaps have come to a speedy and satisfactory close, had not France

at this time won a great diplomatic victory in another quarter. Lewis had, during seven years, been scheming and laboring in vain to break the great array of potentates whom the dread of his might and of his ambition had brought together and kept together. during seven years, all his arts had been baffled by the skill of William; and, when the eighth campaign opened, the confederacy had not been weakened by a single desertion. Soon, however, it began to be suspected that the Duke of Savoy was secretly treating with the enemy. He solemnly assured Galway, who represented England at the Court of Turin, that there was not the slightest ground for such suspicions, and sent to William letters filled with professions of zeal for the common cause, and with earnest entreaties for more This dissimulation continued till a French army, commanded by Catinat, appeared in Piedmont. Then the Duke threw off his disguise, concluded a peace with France, joined his troops to those of Catinat, marched into the Milanese, and informed the allies whom he had just abandoned that, unless they wished to have him for an enemy, they must declare Italy neutral ground. The courts of Vienna and Madrid, in great dismay, submitted to the terms which he dictated. William expostulated and protested in vain. fluence was no longer what it had been. The general opinion of Europe was that the riches and the credit of England were completely exhausted; and both her confederates and her enemies imagined that they might safely treat her with indignity. Spain, true to her invariable maxim that everything ought to be done for her and nothing by her, had the effrontery to reproach the Prince, to whom she owed it that she had not lost

the Netherlands and Catalonia, because he had not sent troops to defend her possessions in Italy. Imperial ministers formed and executed resolutions gravely affecting the interests of the coalition without consulting him who had been the author and the soul of the coalition. Lewis had, after the failure of the Assassination Plot, made up his mind to the disagreeable necessity of recognizing William, and had authorized Caillieres to make a declaration to that effect. But the defection of Savoy, the neutrality of Italy, the disunion among the allies, and, above all, the distresses of England, exaggerated as those distresses were in the letters which the Jacobites of Saint Germains received from the Jacobites of London, produced a change. The tone of Caillieres became high and arrogant: he went back from his word, and refused to give any pledge that his master would acknowledge the Prince of Orange as King of Great Britain. The joy was great among the nonjurors. They had always, they said, been certain that the Great Monarch would not be so unmindful of his own glory and of the common interest of Sovereigns as to abandon the cause of his unfortunate guests, and to call a usurper his brother. They knew from the best authority that His Most Christian Majesty had lately, at Fontainebleau, given satisfactory assurances on this subject to King James. Indeed, there is reason to believe that the project of an invasion of our island was again seriously discussed at Versailles. Catinat's army was now at liberty. France, relieved from all apprehension on the side of Savoy, might spare

<sup>&</sup>lt;sup>1</sup> The Monthly Mercuries; Correspondence between Shrewsbury and Galway; William to Heinsius, July 23, 30, 1696; Memoir of the Marquess of Leganes.

twenty thousand men for a descent on England; and, if the misery and discontent here were such as was generally reported, the nation might be disposed to receive foreign deliverers with open arms.<sup>1</sup>

So gloomy was the prospect which lay before William when, in the autumn of 1696, he quitted his camp in the Netherlands for England. His servants here meanwhile were looking forward to his arrival with intense anxiety. For that anxiety there were personal as well as public reasons. An event had taken place which had caused more uneasiness to the ministers than even the lamentable state of the money-market and the Exchequer.

During the King's absence, the search for the Jacobites who had been concerned in the plots of the preced-

Search for Jacobite conspirators in England: Sir John Fenwick. ing winter had not been intermitted; and of those Jacobites none was in greater peril than Sir John Fenwick. His birth, his connections, the high situations which he had filled, the indefatigable activity with which he had, during several years, labored to sub-

vert the government, and the personal insolence with which he had treated the deceased Queen, marked him out as a man fit to be made an example. He succeeded, however, in concealing himself from the officers of justice till the first heat of pursuit was over. In his hiding-place he thought of an ingenious device which might, as he conceived, save him from the fate of his friends Charnock and Parkyns. Two witnesses were necessary to convict him. It appeared, from what had

<sup>&</sup>lt;sup>1</sup> William to Heinsius,  $\frac{\text{Aug. 27.}}{\text{Sept. 6}}$ , Nov.  $\frac{15}{26}$ , Nov.  $\frac{17}{27}$ , 1696; Prior to Lexington, Nov.  $\frac{17}{27}$ ; Villiers to Shrewsbury, Nov.  $\frac{13}{23}$ .

passed on the trials of his accomplices, that there were only two witnesses who could prove his guilt, Porter and Goodman. His life was safe if either of these men could be persuaded to abscond.

Fenwick was not the only person who had strong reason to wish that Porter, or Goodman, or both, might be induced to leave England. Ailesbury had been arrested, and committed to the Tower; and he well knew that, if these men appeared against him, his head would be in serious danger. His friends and Fenwick's raised what was thought a sufficient sum; and two Irishmen, or, in the phrase of the newspapers of that day, bog-trotters, a barber named Clancy, and a disbanded captain named Donelagh, undertook the work of corruption.

The first attempt was made on Porter. contrived to fall in with him at a tavern, threw out significant hints, and, finding that those hints were favorably received, opened a regular negotiation. The terms offered were alluring; three hundred guineas down, three hundred more as soon as the witness should be beyond sea, a handsome annuity for life, a free pardon from King James, and a secure retreat in Porter seemed inclined, and perhaps was really inclined, to consent. He said that he still was what he had been, that he was at heart attached to the good cause, but that he had been tried beyond his strength. Life was sweet. It was easy for men who had never been in danger to say that none but a villain would save himself by hanging his associates: but a few hours in Newgate, with the near prospect of a journey on a sledge to Tyburn, would teach such boasters to be more charitable. After repeatedly conferring with Clancy, Porter was introduced to Fenwick's wife, Lady Mary, a sister of the Earl of Carlisle. Everything was soon settled. Donelagh made the arrangements for the flight. A boat was in waiting. The letters which were to secure to the fugitive the protection of King James were prepared by Fenwick. The hour and place were fixed at which Porter was to receive the first instalment of the promised reward. But his heart misgave him. He had, in truth, gone such lengths that it would have been madness in him to turn back. He had sent Charnock, King, Keyes, Friend, Parkyns, Rookwood, Cranburne, to the gallows. It was impossible that such a Judas could ever be really forgiven. In France, among the friends and comrades of those whom he had destroyed, his life would not be worth one day's purchase. No pardon under the Great Seal would avert the stroke of the avenger of blood. Nay, who could say that the bribe now offered was not a bait intended to lure the victim to the place where a terrible doom awaited him? Porter resolved to be true to that government under which alone he could be safe: he carried to Whitehall information of the whole intrigue; and he received full instructions from the ministers. On the eve of the day fixed for his departure he had a farewell meeting with Clancy at a tavern. Three hundred guineas were counted out on the table. Porter pocketed them, and gave a signal. Instantly several messengers from the office of the Secretary of State rushed into the room, and produced a warrant. The unlucky barber was carried off to prison, tried for his offence, convicted, and pilloried.1

<sup>1</sup> My account of the attempt to corrupt Porter is taken from his

This mishap made Fenwick's situation more perilous than ever. At the next sessions for the City of London a bill of indictment against him for hightreason was laid before the grand jury. Capture of Fenwick. Porter and Goodman appeared as witnesses for the crown; and the bill was found. Fenwick now thought that it was high time to steal away to the Continent. Arrangements were made for his passage. quitted his hiding-place, and repaired to Romney Marsh. There he hoped to find shelter till the vessel which was to convey him across the Channel should arrive. For, though Hunt's establishment had been broken up, there was still in that dreary region smugglers who carried on more than one lawless trade. chanced that two of these men had just been arrested on a charge of harboring traitors. The messenger who had taken them into custody was returning to London with them, when, on the high-road, he met Fenwick face to face. Unfortunately for Fenwick, no face in England was better known than his. "It is Sir John," said the officer to the prisoners: "Stand by me, my good fellows; and, I warrant you, you will have your pardons, and a bag of guineas besides." The offer was too tempting to be refused: but Fenwick was better mounted than his assailants: he dashed through them, pistol in hand, and was soon out of sight. They pursued him: the hue-and-cry was raised: the bells of all the parish-churches of the Marsh rang out the alarm:

examination before the House of Commons on Nov. 16, 1696, and from the following sources: Burnet, ii., 183; L'Hermitage to the States-general, May  $\frac{8}{18}$ ,  $\frac{12}{22}$ , 1696; the *Postboy*, May 9; the *Postman*, May 9; Narcissus Luttrell's *Diary; London Gazette*, Oct. 19, 1696.

the whole country was up: every path was guarded: every thicket was beaten: every hut was searched; and at length the fugitive was found in bed. Just then a bark, of very suspicious appearance, came in sight: she soon approached the shore, and showed English colors: but to the practised eyes of the Kentish fishermen she looked much like a French privateer. It was not difficult to guess her errand. After waiting a short time in vain for her passenger, she stood out to sea.<sup>1</sup>

Fenwick, unluckily for himself, was able so far to elude the vigilance of those who had charge of him as to scrawl with a lead-pencil a short letter to his wife. Every line contained evidence of his guilt. All, he wrote, was over: he was a dead man, unless, indeed, his friends could, by dint of solicitation, obtain a pardon for him. Perhaps the united entreaties of all the Howards might succeed. He would go abroad: he would solemnly promise never again to set foot on English ground, and never to draw sword against the government. Or would it be possible to bribe a juryman or two to starve out the rest? "That," he wrote, "or nothing can save me." This billet was intercepted in its way to the post, and sent up to Whitehall. Fenwick was soon carried to London and brought before the Lords-justices. At first he held high language, and bade defiance to his accusers. He was told that he had not always been so confident; and his letter to his wife was laid before him. He had not till then been aware that it had fallen into hands for which it was not intended. His distress and confusion became great.

<sup>&</sup>lt;sup>1</sup> London Gazette; Narcissus Luttrell; L'Hermitage, June <sup>12</sup>/<sub>22</sub>; Postman, June 11.

He felt that, if he were instantly sent before a jury, a conviction was inevitable. One chance remained. If he could delay his trial for a short time, the judges would leave town for their circuits: a few weeks would be gained; and in the course of a few weeks something might be done.

He addressed himself particularly to the Lord Steward, Devonshire, with whom he had formerly had some connection of a friendly kind. The unhappy man declared that he threw himself entirely on the royal mercy, and offered to disclose all that he knew touching the plots of the Jacobites. That he knew much nobody could doubt. Devonshire advised his colleagues to postpone the trial till the pleasure of William could be known. This advice was taken. The King was informed of what had passed; and he soon sent an answer directing Devonshire to receive the prisoner's confession in writing, and to send it over to the Netherlands with all speed.

Fenwick had now to consider what he should confess. Had he, according to his promise, revealed all that he knew, there can be no doubt that his evidence would have seriously affected many Jacobite noblemen, gentlemen, and clergymen. But, though he was very unwilling to die, attachment to his party was in his mind a stronger sentiment than the fear of death. The thought occurred to him that he might construct a story, which might possibly be considered as sufficient to earn his pardon, which would at least put off his trial some months, yet which would not injure a single sincere adherent of the banished dynasty, nay, which

<sup>&</sup>lt;sup>1</sup> Life of William III., 1703; Vernon's evidence given in his place in the House of Commons, Nov. 16, 1696.

would cause distress and embarrassment to the enemies of that dynasty, and which would fill the Court, the Council, and the Parliament of William with fears and animosities. He would divulge nothing that could affect those true Jacobites who had repeatedly awaited. with pistols loaded and horses saddled, the landing of the rightful King accompanied by a French army. But, if there were false Jacobites who had mocked their banished Sovereign year after year with professions of attachment and promises of service, and vet had, at every great crisis, found some excuse for disappointing him, and who were at that moment among the chief supports of the usurper's throne, why should they be spared? That there were such false Jacobites Fenwick had good reason to believe. He could, indeed, say nothing against them to which a court of justice would have listened; for none of them had ever intrusted him with any message or letter for France; and all that he knew about their treachery he had learned at second-hand and third-hand. But of their guilt he had no doubt. One of them was Marlborough. He had, after betraying James to William, promised to make reparation by betraying William to James, and had at last, after much shuffling, again betrayed James and made peace with William. Godolphin had practised deception, similar in kind, though less gross in degree. He had long been sending fair words to Saint Germains: in return for those fair words he had received a pardon; and, with this pardon in his secret drawer, he had continued to administer the finances of the existing government. To ruin such a man would be a just punishment for his baseness, and a great service to King James. Still more desirable was it to blast VOL. IX.-14.

the fame and to destroy the influence of Russell and Shrewsbury. Both were distinguished members of that party which had, under different names, been, during two generations, implacably hostile to the Kings of the House of Stuart. Both had taken a great part in the The names of both were subscribed to Revolution. the instrument which had invited the Prince of Orange to England. One of them was now his Minister for Maritime Affairs; the other his Principal Secretary of State: but neither had been constantly faithful to him. Both had, soon after his accession, bitterly resented his wise and magnanimous impartiality, which, to their minds, disordered by party spirit, seemed to be unjust and ungrateful partiality to the Tory faction; and both had, in their spleen, listened to emissaries from Saint Germains. Russell had vowed by all that was most sacred that he would himself bring back his exiled Sovereign. But the vow was broken as soon as it had been uttered; and he to whom the royal family had looked as to a second Monk had crushed the hopes of that family at La Hogue. Shrewsbury had not gone such lengths. Yet he too, while out of humor with William, had tampered with the agents of James. With the power and reputation of these two great men was closely connected the power and reputation of the whole Whig party. That party, after some quarrels, which were in truth quarrels of lovers, was now cordially reconciled to William, and bound to him by the strongest ties. If those ties could be dissolved, if he could be induced to regard with distrust and aversion the only set of men which was on principle and with enthusiasm devoted to his interests, his enemies would indeed have reason to rejoice.

With such views as these Fenwick delivered to Devonshire a paper so cunningly composed that it would probably have brought some severe calamity on the prince to whom it was addressed, had not that prince been a man of singularly clear judgment and singularly lofty spirit. The paper contained scarcely anything respecting those Jacobite plots in which the writer had himself been concérned, and of which he intimately knew all the details. It contained nothing which could be of the smallest prejudice to any person who was really hostile to the existing order of things. The whole narrative was made up of stories, too true for the most part, yet resting on no better authority than hearsay, about the intrigues of some eminent warriors and statesmen, who, whatever their former conduct might have been, were now at least hearty in support of William. Godolphin, Fenwick averred, had accepted a seat at the Board of Treasury, with the sanction and for the benefit of King James. Marlborough had promised to carry over the army, Russell to carry over the fleet. Shrewsbury, while out of office, had plotted with Middleton against the government. Indeed, the Whigs were now the favorites at Saint Germains. Many old friends of hereditary right were moved to jealousy by the preference which James gave to the new converts. Nay, he had been heard to express his confident hope that the monarchy would be set up again by the very hands which had pulled it down.

Such was Fenwick's confession. Devonshire received it and sent it by express to the Netherlands, without intimating to any of his fellow-councillors what it contained. The accused ministers afterward com-

plained bitterly of this proceeding. Devonshire defended himself by saying that he had been specially deputed by the King to take the prisoner's information, and was bound, as a true servant of the crown, to transmit that information to His Majesty and to His Majesty alone.

The messenger sent by Devonshire found William at The King read the confession, and saw at once with what objects it had been drawn up. It contained little more than what he had long known, and had long, with politic and generous dissimulation, affected not to know. If he spared, employed, and promoted men who had been false to him, it was not because he was their dupe. His observation was quick and just: his intelligence was good; and he had, during some years, had in his hands proofs of much that Fenwick had only gathered from wandering reports. seemed strange to many that a prince of high spirit and acrimonious temper should have treated servants, who had so deeply wronged him, with a kindness hardly to be expected from the meekest of human beings. William was emphatically a statesman. Ill-humor, the natural and pardonable effect of much bodily and much mental suffering, might sometimes impel him to give a tart answer. But never did he on any important occasion indulge his angry passions at the expense of the great interests of which he was the guardian. For the sake of those interests, proud and imperious as he was by nature. he submitted patiently to galling restraints, bore cruel indignities and disappointments with the outward show of serenity, and not only forgave, but often pretended not to see, offences which might well have moved him to bitter resentment. He knew that he must work

with such tools as he had. If he was to govern England, he must employ the public men of England; and, in this age, the public men of England, with much of a peculiar kind of ability, were, as a class, low-minded and immoral. There were, doubtless, exceptions. Such was Nottingham among the Tories, and Somers among the Whigs. But the majority, both of the Tory and of the Whig ministers of William, were men whose characters had taken the ply in the days of the Anti-They had been formed in two evil puritan reaction. schools-in the most unprincipled of courts and the most unprincipled of oppositions; a court which took its character from Charles, an opposition headed by Shaftesbury. From men so trained it would have been unreasonable to expect disinterested and steadfast fidelity to any cause. But, though they could not be trusted, they might be used; and they might be use-No reliance could be placed on their principles: but much reliance might be placed on their hopes and on their fears; and, of the two Kings who laid claim to the English crown, the King from whom there was most to hope and most to fear was the King in posses-If, therefore, William had little reason to esteem these politicians his hearty friends, he had still less reason to number them among his hearty foes. conduct toward him, reprehensible as it was, might be called upright when compared with their conduct toward James. To the reigning Sovereign they had given valuable service; to the banished Sovereign little more than promises and professions. Shrewsbury might, in a moment of resentment or weakness, have trafficked with Jacobite agents: but his general conduct had proved that he was as far as ever from being a Jacobite.

Godolphin had been lavish of fair words to the dynasty which was out: but he had diligently and skilfully superintended the finances of the dynasty which was Russell had sworn that he would desert with the English fleet: but he had burned the French fleet. Even Marlborough's known treasons—for his share in the disaster of Brest and the death of Talmash was as vet unsuspected—had not done so much harm as his exertions at Walcourt, at Cork, and at Kinsale had done good. William had, therefore, wisely resolved to shut his eyes to perfidy, which, however disgraceful it might be, had not injured him, and still to avail himself, with proper precautions, of the eminent talents which some of his unfaithful counsellors possessed. Having determined on this course, and having long followed it with happy effect, he could not but be annoved and provoked by Fenwick's confession. John, it was plain, thought himself a Machiavel. his trick succeeded, the Princess, whom it was most important to keep in good-humor, would be alienated from the government by the disgrace of Marlborough. The whole Whig party, the firmest support of the throne, would be alienated by the disgrace of Russell and Shrewsbury. In the meantime not one of those plotters whom Fenwick knew to have been deeply concerned in plans of insurrection, invasion, assassination. would be molested. This cunning schemer should find that he had not to do with a novice. William, instead of turning his accused-servants out of their places, sent the confession to Shrewsbury, and desired that it might be laid before the Lords-justices. "I am astonished." the King wrote, "at the fellow's effrontery. You know me too well to think that such stories can make any impression on me. Observe this honest man's sincerity. He has nothing to say except against my friends. Not a word about the plans of his brother Jacobites." The King concluded by directing the Lords-justices to send Fenwick before a jury with all speed.

The effect produced by William's letter was remark-Every one of the accused persons behaved himself in a manner singularly characteristic. borough, the most culpable of all, preserved a serenity mild, majestic, and slightly contemptuous. Russell, scarcely less criminal than Marlborough, went into a towering passion, and breathed nothing but vengeance against the villainous informer. Godolphin, nneasy, but wary, reserved, and self-possessed, prepared himself to stand on the defensive. But Shrewsbury, who of all the four was the least to blame, was utterly overwhelmed. He wrote in extreme distress to William, acknowledged with warm expressions of gratitude the King's rare generosity, and protested that Fenwick had malignantly exaggerated and distorted mere trifles into enormous crimes. "My Lord Middleton"-such was the substance of the letter—" was certainly in communication with me about the time of the battle of La Hogue. We are relations: we frequently met: we supped together just before he returned to France: I promised to take care of his interests here: he in return offered to do me good offices there: but I told him that I had offended too deeply to be forgiven, and that I would not stoop to ask forgiveness." This, Shrewsbury averred, was the whole extent of his offense.2 It is but

<sup>&</sup>lt;sup>1</sup> William to Shrewsbury, from Loo, Sept. 10, 1696.

<sup>&</sup>lt;sup>2</sup> Shrewsbury to William, Sept. 18, 1696.

too certain that this confession was by no means ingenuous: nor is it likely that William was deceived. But he was determined to spare the repentant traitor the humiliation of owning a fault and accepting a pardon. "I can see," the King wrote, "no crime at all in what you have acknowledged. Be assured that these calumnies have made no unfavorable impression on me. Nav. you shall find that they have strengthened my confidence in you." A man hardened in depravity would have been perfectly contented with an acquittal so complete, announced in language so gra-But Shrewsbury was quite unnerved by a tenderness which he was conscious that he had not merited. He shrank from the thought of meeting the master whom he had wronged, and by whom he had been forgiven, and of sustaining the gaze of the peers, among whom his birth and his abilities had gained for him a station of which he felt that he was unworthy. The campaign in the Netherlands was over. The session of Parliament was approaching. The King was expected with the first fair wind. Shrewsbury left town, and retired to the Wolds of Gloucestershire. In that district, then one of the wildest in the south of the island, he had a small country-seat, surrounded by pleasant gardens and fish-ponds. William had, in his progress a year before, visited this dwelling, which lay far from the nearest high-road and from the nearest market-town, and had been much struck by the silence and loneliness of the retreat in which he found the most graceful and splendid of his English courtiers.

At one in the morning of the sixth of October the King landed at Margate. Late in the evening he William to Shrewsbury, Sept. 25, 1696.

reached Kensington. On the following morning a brilliant crowd of ministers and nobles pressed a kiss to his hand: but he missed one face which Return of ought to have been there, and asked where William to England. the Duke of Shrewsbury was, and when he was expected in town. The next day came a letter from the Duke, to say that he had just had a bad fall in hunting. His side had been bruised: his lungs had suffered: he had spit blood, and could not venture to travel. That he had fallen and hurt himself was true: but even those who felt most kindly toward him suspected, and not without strong reason, that he made the most of his convenient misfortune, and that, if he had not shrunk from appearing in public, he would have performed the journey with little difficulty. His correspondents told him that, if he was really as ill as he thought himself, he would do well to consult the physicians and surgeons of the capital. Somers, especially, implored him in the most earnest manner to come up to London. Every hour's delay was mischievous. His Grace must conquer his sensibility. He had only to face calumny courageously, and it would vanish.2 The King, in a few kind lines, expressed his sorrow for "You are much wanted here," he the accident. wrote: "I am impatient to embrace you, and to assure you that my esteem for you is undiminished." 3 Shrewsbury answered that he had resolved to resign the seals.4

<sup>&</sup>lt;sup>1</sup> London Gazette, Oct. 8, 1696; Vernon to Shrewsbury, Oct. 8; Shrewsbury to Portland, Oct. 11.

<sup>&</sup>lt;sup>2</sup> Vernon to Shrewsbury, Oct. 13, 1696; Somers to Shrewsbury, Oct. 15.

<sup>&</sup>lt;sup>3</sup> William to Shrewsbury, Oct. 9, 1696.

<sup>&</sup>lt;sup>4</sup> Shrewsbury to William, Oct. 11, 1696.

Somers adjured him not to commit so fatal an error. If at that moment His Grace should quit office, what could the world think, except that he was condemned by his own conscience? He would, in fact, plead guilty: he would put a stain on his own honor, and on the honor of all who lay under the same accusation. would no longer be possible to treat Fenwick's story as a romance. "Forgive me," Somers wrote, "for speaking after this free manner; for I do own I can scarce be temperate in this matter." A few hours later William himself wrote to the same effect. "I have so much regard for you that, if I could, I would positively interdict you from doing what must bring such grave suspicions on you. At any time I should consider your resignation as a misfortune to myself: but I protest to you that, at this time, it is on your account more than on my own that I wish you to remain in my service." 2 Sunderland, Portland, Russell, and Wharton joined their entreaties to their master's; and Shrewsbury consented to remain Secretary in name. But nothing could induce him to face the Parliament which was about to meet. A litter was sent down to him from London, but to no purpose. He set out, but declared that he found it impossible to proceed, and took refuge again in his lonely mansion among the hills.3

While these things were passing, the members of both Houses were from every part of the kingdom going up to Westminster. To the opening of the session, not only England, but all Europe, looked forward

<sup>&</sup>lt;sup>1</sup> Somers to Shrewsbury, Oct. 19, 1696.

<sup>&</sup>lt;sup>2</sup> William to Shrewsbury, Oct. 20, 1696.

<sup>&</sup>lt;sup>3</sup> Vernon to Shrewsbury, Oct. 13, 15. Portland to Shrewsbury, Oct. 20; Luttrell's *Diary*.

with intense anxiety. Public credit had been deeply injured by the failure of the Land Bank. storation of the currency was not yet half Meeting of accomplished. The scarcity of money was Parliament: state of the still distressing. Much of the milled silver was buried in private repositories as fast as it came forth from the Mint. Those politicians who were bent on lowering the standard of the coin had found too ready audience from a population suffering under severe pressure; and at one time the general voice of the nation had seemed to be on their side.1 Of course every person who thought it likely that the standard would be lowered, hoarded as much money as he could hoard; and thus the cry for little shillings aggravated the pressure from which it had sprung.<sup>2</sup> Both the allies and the enemies of England imagined that her resources were spent, that her spirit was broken, that the Commons, so often querulous and parsimonious even in tranquil and prosperous times, would now positively refuse to bear any additional burden, and would, with an importunity not to be withstood, insist on having peace at any price.

But all these prognostications were confounded by the firmness and ability of the Whig leaders, and by the steadiness of the Whig majority. On Speech of the twentieth of October the Houses met. William addressed to them a speech remarkment of the able even among all those remarkable speeches in which his own high thoughts and purposes were expressed in the dignified and judicious language of Somers. There was, the King said, great reason for congratulation. It was true that 'L'Hermitage, June ½0, 1696.

Lansdowne MS., 801.

the funds voted in the preceding session for the support of the war had failed, and that the recoinage had produced great distress. Yet the enemy had obtained no advantage abroad: the State had been torn by no convulsion at home: the loyalty shown by the army and by the nation under severe trials had disappointed all the hopes of those who wished evil to England. Overtures tending to peace had been made. What might be the result of those overtures was uncertain: but this was certain, that there could be no safe or honorable peace for a nation which was not prepared to wage vigorous war. "I am sure we shall all agree in opinion that the only way of treating with France is with our swords in our hands."

The Commons returned to their chamber; and Foley read the speech from the chair. A debate followed which resounded through all Christendom. of the House That was the proudest day of Montague's of Commons. life, and one of the proudest days in the history of the English Parliament. In 1796, Burke held up the proceedings of that day as an example to the statesmen whose hearts had failed them in the conflict with the gigantic power of the French republic. 1822, Huskisson held up the proceedings of that day as an example to a legislature which, under the pressure of severe distress, was tempted to alter the standard of value and to break faith with the public creditor. Before the House rose, the young Chancellor of the Exchequer, whose ascendency, since the ludicrous failure of the Tory scheme of finance, was undisputed. proposed and carried three memorable resolutions. The first, which passed with only one muttered No, declared that the Commons would support the King against all foreign and domestic enemies, and would enable him to prosecute the war with vigor. The second, which passed, not without opposition, but without a division, declared that the standard of money should not be altered in fineness, weight, or denomination. The third, against which not a single opponent of the government dared to raise his voice, pledged the House to make good all the deficiencies of all parliamentary funds established since the King's accession. The task of framing an answer to the royal speech was intrusted to a Committee exclusively composed of Whigs. Montague was chairman; and the eloquent and animated address which he drew up may still be read in the Journals with interest and pride.<sup>1</sup>

Within a fortnight two millions and a half were granted for the military expenditure of the approaching year, and nearly as much for the maritime expenditure. Provision was made without any dispute for forty thousand seamen. About the amount of the land force there was a division. The King asked for eighty-seven thousand soldiers; and the Tories thought that number too large. The ministers carried their point by two hundred and twenty-three votes to sixty-seven.

The malcontents flattered themselves, during a short time, that the vigorous resolutions of the Commons would be nothing more than resolutions; that it would

<sup>&</sup>lt;sup>1</sup> I take my account of these proceedings from the *Commons' Journals*, from the despatches of Van Cleverskirke and L'Hermitage to the States-general, and from Vernon's letter to Shrewsbury of the 27th of October, 1696. "I don't know," says Vernon, "that the House of Commons ever acted with greater concert than they do at present."

be found impossible to restore public credit, to obtain advances from capitalists, or to wring taxes out of the distressed population; and that, therefore, the forty thousand seamen and the eighty-seven thousand soldiers would exist only on paper. Howe, who had been more cowed than was usual with him on the first day of the session, attempted, a week later, to make a stand against the Ministry. "The King," he said, "must have been misinformed; or His Majesty would never have felicitated Parliament on the tranquil state of the country. I come from Gloucestershire. I know that part of the kingdom well. The people are all living on alms, or ruined by paying alms. The soldier helps himself, sword in hand, to what he wants. There have been serious riots already; and still more serious riots are to be apprehended." The disapprobation of the House was strongly expressed. Several members declared that in their counties everything was quiet. Gloucestershire were in a more disturbed state than the rest of England, might not the cause be that Gloucestershire was cursed with a more malignant and unprincipled agitator than all the rest of England could show? Some Gloucestershire gentlemen took issue with Howe on the facts. There was no such distress. they said, no such discontent, no such rioting, as he had described. In that county, as in every other county, the great body of the population was fully determined to support the King in waging a vigorous war till he could make an honorable peace.1

<sup>&</sup>lt;sup>1</sup> Vernon to Shrewsbury, Oct. 29, 1696; L'Hermitage,  $\frac{\text{Oct. 30.}}{\text{Nov. 9.}}$  L'Hermitage calls Howe Jaques Haut. No doubt the Frenchman had always heard Howe spoken of as Jack.

In fact the tide had already turned. From the moment at which the Commons notified their fixed determination not to raise the denomination Return of of the coin, the milled money began to come prosperity. forth from a thousand strong-boxes and private drawers. There was still pressure; but that pressure was less and less felt day by day. The nation, though still suffering, was joyful and grateful. feelings resembled those of a man who, having been long tortured by a malady which has embittered his existence, has at last made up his mind to submit to the surgeon's knife, who has gone through a cruel operation with safety, and who, though still smarting from the steel, sees before him many years of health and enjoyment, and thanks God that the worst is over. Within four days after the meeting of Parliament there was a perceptible improvement in trade. The discount on bank-notes had diminished by one-third. The price of those wooden tallies, which, according to a usage handed down to us from a rude age, were given as receipts for sums paid into the Exchequer, had risen. The exchanges, which had during many months been greatly against England, had begun to turn.' Soon the effect of the magnanimous firmness of

Effect of the magnanimous firmness of the House of Commons was felt at every court in Europe. So high, indeed, was the spirit of that assembly that the King had some difficulty in preventing the Whigs from moving and carrying a resolution that an address should be presented to him, requesting him

<sup>&</sup>lt;sup>1</sup> Postman, October 24, 1696; L'Hermitage, Oct. 23. L'Hermitage says: "On commence déjà à ressentir des effets avantageux

to enter into no negotiation with France till she should have acknowledged him as King of England.1 Such an address was unnecessary. The votes of the Parliament had already forced on Lewis the conviction that there was no chance of a counter-revolution. There was as little chance that he would be able to effect that compromise of which he had, in the course of the negotiations, thrown out hints. It was not to be hoped that either William or the English nation would ever consent to make the settlement of the English crown a matter of bargain with France. And, even had William and the English nation been disposed to purchase peace by such a sacrifice of dignity, there would have been insuperable difficulties in another quarter. James could not endure to hear of the expedient which Lewis had suggested. "I can bear," the exile said to his benefactor, "I can bear with Christian patience to be robbed by the Prince of Orange: but I never will consent to be robbed by my own son." Lewis never again mentioned the subject. Caillieres received orders to make the concession on which the peace of the civilized world depended. He and Dykvelt came together at the Hague before Baron Lilienroth, the representative of the King of Sweden, whose mediation the belligerent powers had accepted. Dykvelt informed Lilienroth that the Most Christian King had engaged, whenever the Treaty of Peace should be signed, to recognize the Prince of Orange as King of Great

des promptes et favorables résolutions que la Chambre des Communes prit Mardy. Le discomte des billets de banque, qui estoit le jour auparavant à 18, est revenu à douze, et les actions ont aussy augmenté, aussy bien que les taillis."

<sup>&</sup>lt;sup>1</sup> William to Heinsius, Nov. <sup>13</sup>/<sub>23</sub>, 1696.

Britain and Ireland, and added, with a very intelligible allusion to the compromise formerly proposed by France, that the recognition would be without restriction, condition, or reserve. Caillieres then declared that he confirmed, in the name of his master, what Dykvelt had said.1 A letter from Prior, containing the good news, was delivered to James Vernon, the Under Secretary of State, in the House of Commons. The tidings ran along the benches—such is Vernon's expression—like fire in a field of stubble. A load was taken away from every heart; and all was joy and triumph.2 The Whig members might, indeed, well congratulate each other. For it was to the wisdom and resolution which they had shown, in a moment of extreme danger and distress, that their country was indebted for the near prospect of an honorable peace.

By this time public credit, which had in the autumn sunk to the lowest point, was fast reviving. Ordinary financiers stood aghast when they learned that more than five millions were required to make good the deficiencies of past years. But Montague was not an ordinary financier. A bold and simple plan, proposed by him, and popularly called the General Mortgage, restored confidence. New taxes were imposed: old taxes were augmented or continued; and thus a consolidated fund was formed sufficient to meet every just claim on the State. The Bank of England was at the same time enlarged by a new sub-

<sup>&</sup>lt;sup>1</sup> Actes et Mémoires des Négociations de la Paix de Ryswick, 1707; Villiers to Shrewsbury, Dec. <sup>1</sup>/<sub>11</sub>, <sup>4</sup>/<sub>14</sub>, 1696; Letter of Heinsius quoted by M. Sirtema de Grovestins. Of this letter I have not a copy.

<sup>&</sup>lt;sup>2</sup> Vernon to Shrewsbury, Dec. 8, 1696. vol. ix.—15.

scription; and the regulations for the payment of the subscription were framed in such a manner as to raise the value both of the notes of the corporation and of the public securities.

Meanwhile the mints were pouring forth the new silver faster than ever. The distress which began on the fourth of May, 1696, which was almost insupportable during five succeeding months, and which became lighter from the day on which the Commons declared their immutable resolution to maintain the old standard, ceased to be painfully felt in March, 1697. months were still to elapse before credit completely recovered from the most tremendous shock that it has ever sustained. But already the deep and solid foundation had been laid on which was to rise the most gigantic fabric of commercial prosperity that the world had ever seen. The great body of the Whigs attributed the restoration of the health of the State to the genius and firmness of their leader Montague. His enemies were forced to confess, sulkily and sneeringly, that every one of his schemes had succeeded: the first Bank subscription, the second Bank subscription, the Recoinage, the General Mortgage, the Exchequer Bills. But some Tories muttered that he deserved no more praise than a prodigal who stakes his whole estate at hazard, and has a run of good luck. England had, indeed, passed safely through a terrible crisis, and was the stronger for having passed through it. But she had been in imminent danger of perishing; and the minister who had exposed her to that danger deserved, not to be applauded, but to be hanged. Others admitted that the plans which were popularly attributed to Montague were excellent, but denied that those plans were Montague's. The voice of detraction, however, was for a time drowned by the acclamations of the Parliament and the City. The authority which the Chancellor of the Exchequer exercised in the House of Commons was unprecedented and unrivalled. In the Cabinet his influence was daily increasing. He had no longer a superior at the Board of Treasury. In consequence of Fenwick's confession, the last Tory who held a great and efficient office in the State had been removed; and there was at length a purely Whig Ministry.

It had been impossible to prevent reports about that confession from getting abroad. The prisoner, indeed, had found means of communicating with his Effects of friends, and had doubtless given them to Fenwick's confession. understand that he had said nothing against them, and much against the creatures of the usurper. William wished the matter to be left to the ordinary tribunals, and was most unwilling that it should be debated elsewhere. But his counsellors, better acquainted than himself with the temper of large and divided assemblies, were of opinion that a parliamentary discussion, though perhaps undesirable, was inevitable. was in the power of a single member of either House to force on such a discussion; and in both Houses there were members who, some from a sense of duty, some from mere love of mischief, were determined to know whether the prisoner had, as was rumored, brought grave charges against some of the most distinguished men in the kingdom. If there must be an inquiry, it was surely desirable that the accused statesmen should be the first to demand it. There was, however, one great difficulty. The Whigs, who formed the majority

of the Lower House, were ready to vote, as one man, for the entire absolution of Russell and Shrewsbury, and had no wish to put a stigma on Marlborough, who was not in place, and therefore excited little jealousy. But a strong body of honest gentlemen, as Wharton called them, could not, by any management, be induced to join in a resolution acquitting Godolphin. To them Godolphin was an eyesore. All the other Tories, who, in the earlier years of William's reign, had borne a chief part in the direction of affairs, had, one by one, Nottingham, Trevor, Leeds, Seybeen dismissed. mour, were no longer in power. Pembroke could hardly be called a Tory, and had never been really in power. But Godolphin still retained his post at Whitehall; and to the men of the Revolution it seemed intolerable that one who had sat at the Council-board of Charles and James, and who had voted for a Regency, should be the principal minister of finance. Those who felt thus had learned with malicious delight that the First Lord of the Treasury was named in the confession about which all the world was talking; and they were determined not to let slip so good an opportunity of ejecting him from office. On the other hand, everybody who had seen Fenwick's paper, and who had not, in the drunkenness of factious animosity, lost all sense of reason and justice, must have felt that it was impossible to make a distinction between two parts of that paper, and to treat all that related to Shrewsbury and Russell as false, and all that related to Godolphin This was acknowledged even by Wharton. as true. who of all public men was the least troubled by scruples or by shame.1 If Godolphin had steadfastly refused to

<sup>&</sup>lt;sup>1</sup> Wharton to Shrewsbury, Oct. 27, 1696.

quit his place, the Whig leaders would have been in a most embarrassing position. But a politician of no common dexterity undertook to extri-Resignacate them from their difficulties. In the art tion of Godolphin. of reading and managing the minds of men Sunderland had no equal; and he was, as he had been during several years, desirous to see all the great posts in the kingdom filled by Whigs. By his skilful management Godolphin was induced to go into the royal closet, and to request permission to retire from office; and William granted that permission with a readiness by which Godolphin was much more surprised than pleased.1

One of the methods employed by the Whig junto for the purpose of instituting and maintaining through all the ranks of the Whig party a discipline Feeling of never before known, was the frequent holdthe Whigs about ing of meetings of members of the House of Fenwick. Some of those meetings were Commons. numerous: others were select. The larger were held at the Rose, a tavern frequently mentioned in the political pasquinades of that time; 2 the smaller at Russell's in Covent Garden, or at Somers's in Lincoln's Inn Fields.

On the day on which Godolphin resigned his great office, two select meetings were called. In the morning the place of assembly was Russell's house. In the

<sup>&</sup>lt;sup>1</sup> Somers to Shrewsbury, Oct. 27, 31, 1696; Vernon to Shrewsbury, Oct. 31; Wharton to Shrewsbury, Nov. 10. "I am apt to think," says Wharton, "there never was more management than in bringing that about."

<sup>&</sup>lt;sup>2</sup> See, for example, a poem on the last Treasury day at Kensington, March, 169<sup>6</sup>7.

afternoon there was a fuller muster at the Lord Keeper's. Fenwick's confession, which, till that time, had probably been known only by rumor to most of those who were present, was read. The indignation of the hearers was strongly excited, particularly by one passage, of which the sense seemed to be that not only Russell, not only Shrewsbury, but the great body of the Whig party was, and had long been, at heart Jacobite. "The fellow insinuates," it was said, "that the Assassination Plot itself was a Whig scheme." The general opinion was that such a charge could not be lightly passed over. There must be a solemn debate and decision in Parliament. The best course would be that the King should himself see and examine the prisoner, and that Russell should then request the royal permission to bring the subject before the House of Commons. As Fenwick did not pretend that he had any authority for the stories which he had told except mere hearsay, there could be no difficulty in carrying a resolution branding him as a slanderer, and an address to the throne requesting that he might be forthwith brought to trial for high-treason.1

The opinion of the meeting was conveyed to William by his ministers; and he consented, though not withwilliam out reluctance, to see the prisoner. Fenexamines wick was brought into the royal closet at
Fenwick. Kensington. The crown-lawyers and a few
of the great officers of state were present. "Your
papers, Sir John," said the King, "are altogether unsatisfactory. Instead of giving me an account of the
plots formed by you and your accomplices, plots of

<sup>&</sup>lt;sup>1</sup> Somers to Shrewsbury, Oct. 31, 1696; Wharton to Shrewsbury, of the same date.

which all the details must be exactly known to you, you tell me stories, without authority, without date. without place, about noblemen and gentlemen with whom you do not pretend to have had any intercourse. In short, your confession appears to be a contrivance intended to screen those who are really engaged in designs against me, and to make me suspect and discard those in whom I have good reason to place confidence. If you look for any favor from me, give me, this moment and on this spot, a full and straightforward account of what you know of your own knowledge." Fenwick said that he was taken by surprise, and asked for time. "No, sir," said the King. "For what purpose can you want time? You may indeed want time if you mean to draw up another paper like this. But what I require is a plain narrative of what you have yourself done and seen; and such a narrative you can give, if you will, without pen and ink." Then Fenwick positively refused to say anything. "Be it so," said William. "I will neither hear you, nor hear from you, any more." Fenwick was carried back to his prison. He had at this audience shown a boldness and determination which surprised those who had observed his demeanor. He had, ever since he had been in confinement, appeared to be anxious and dejected: vet now, at the very crisis of his fate, he had braved the displeasure of the Prince whose clemency he had, a short time before, submissively implored. In a very few hours the mystery was explained. Just before he had been summoned to Kensington, he had received

<sup>&</sup>lt;sup>1</sup> Somers to Shrewsbury, Nov. 3, 1696. The King's unwillingness to see Fenwick is mentioned in Somers's letter of the 15th of October.

from his wife intelligence that his life was in no danger, that there was only one witness against him, that she and her friends had succeeded in corrupting Goodman.<sup>1</sup>

Goodman had been allowed a liberty which was afterward, with some reason, made matter of charge against the government. For his testimony was Disappearmost important: his character was notoriance of Goodman. ously bad: the attempts which had been made to seduce Porter proved that if money could save Fenwick's life, money would not be spared; and Goodman had not, like Porter, been instrumental in sending Jacobites to the gallows, and therefore was not, like Porter, bound to the cause of William by an indissoluble tie. The families of the imprisoned conspirators employed the agency of a cunning and daring adventurer named O'Brien. This man knew Goodman well. deed, they had belonged to the same gang of highway-They met at the Dog in Drury Lane, a tavern which was frequented by lawless and desperate men. O'Brien was accompanied by another Jacobite of determined character. A simple choice was offered to Goodman, to abscond and to be rewarded with an annuity of five hundred a year, or to have his throat cut on the spot. He consented, half from cupidity, half from fear. O'Brien was not a man to be tricked as Clancy had been. He never parted company with Goodman from the moment when the bargain was struck till they were at Saint Germains.2

<sup>&</sup>lt;sup>1</sup> Vernon to Shrewsbury, Nov. 3, 1696.

<sup>&</sup>lt;sup>2</sup> The circumstances of Goodman's flight were ascertained three years later by the Earl of Manchester, when Ambassador at Paris, and by him communicated to Jersey in a letter dated Sept. 25 Oct. 5 (1699).

On the afternoon of the day on which Fenwick was examined by the King at Kensington it began to be noised abroad that Goodman was missing. He had been many hours absent from his house. He had not been seen at his usual haunts. At first a suspicion arose that he had been murdered by the Jacobites; and this suspicion was strengthened by a singular circumstance. Just after his disappearance, a human head was found severed from the body to which it belonged, and so frightfully mangled that no feature could be recognized. The multitude, possessed by the notion that there was no crime which an Irish Papist might not be found to commit, was inclined to believe that the fate of Godfrey had befallen another victim. On inquiry, however, it seemed certain that Goodman had designedly withdrawn himself. A proclamation appeared promising a reward of a thousand pounds to any person who should stop the runaway; but it was too late.1

This event exasperated the Whigs beyond measure. No jury could now find Fenwick guilty of high-treason. Was he then to escape? Was a long series of offences against the State to go unpunished, merely because to those offences had now been added the offence of bribing a witness to suppress his evidence and to desert his bail? Was there no extraordinary method by which justice might strike a criminal who, solely because he was worse than other criminals, was beyond the reach of the ordinary law? Such a method there was, a method authorized by numerous precedents, a method used both by Papists and by Protestants during

<sup>&</sup>lt;sup>1</sup> London Gazette, Nov. 9, 1696; Vernon to Shrewsbury, November 3; Van Cleverskirke and L'Hermitage of the same date.

the troubles of the sixteenth century, a method used both by Roundheads and by Cavaliers during the troubles of the seventeenth century, a method which scarcely any leader of the Tory party could condemn without condemning himself, a method of which Fenwick could not decently complain, since he had, a few years before, been eager to employ it against the unfortunate Monmouth. To that method the party which was now supreme in the State determined to have recourse.

Soon after the Commons had met, on the morning of the sixth of November, Russell rose in his place and requested to be heard. The task which he had undertaken required courage not of the ary proceedings touching most respectable kind: but to him no kind Fenwick's of courage was wanting. Sir John Fenwick, confession. he said, had sent to the King a paper in which grave accusations were brought against some of His Majesty's servants; and His Majesty had, at the request of his accused servants, graciously given orders that this paper should be laid before the House. confession was produced and read. The Admiral then, with a spirit and dignity which would have well become a more virtuous man, demanded justice for himself and Shrewsbury. "If we are innocent, clear us. If we are guilty, punish us as we deserve. I put myself on you as on my country, and am ready to stand or fall by your verdict."

It was immediately ordered that Fenwick should be brought to the bar with all speed. Cutts, who sat in the House as member for Cambridgeshire, was directed to provide a sufficient escort, and was especially enjoined to take care that the prisoner should have no opportunity of making or receiving any communication, oral or written, on the road from Newgate to Westminster. The House then adjourned till the afternoon.

At five o'clock, then a late hour, the mace was again put on the table: candles were lighted; and the House and lobby were carefully cleared of strangers. wick was in attendance under a strong guard. He was called in, and exhorted from the chair to make a full and ingenuous confession. He hesitated and evaded. "I cannot say anything without the King's permission. His Majesty may be displeased if what ought to be known only to him should be divulged to others." He was told that his apprehensions were groundless. King well knew that it was the right and the duty of his faithful Commons to inquire into whatever concerned the safety of his person and of his government. "I may be tried in a few days," said the prisoner. ought not to be asked to say anything which may rise up in judgment against me." "You have nothing to fear," replied the Speaker, "if you will only make a full and free discovery. No man ever had reason to repent of having dealt candidly with the Commons of England." Then Fenwick begged for delay. He was not a ready orator: his memory was bad: he must have time to prepare himself. He was told, as he had been told a few days before in the royal closet, that, prepared or unprepared, he could not but remember the principal plots in which he had been engaged, and the names of his chief accomplices. If he would honestly relate what it was quite impossible that he could have forgotten, the House would make all fair allowances, and would grant him time to recollect subordinate details. Thrice he was removed from the bar; and thrice he was brought back. He was solemnly informed that the opportunity then given him of earning the favor of the Commons would probably be the last. He persisted in his refusal, and was sent back to Newgate.

It was then moved that his confession was false and scandalous. Coningsby proposed to add that it was a contrivance to create jealousies between the King and good subjects for the purpose of screening real traitors. A few implacable and unmanageable Whigs, whose hatred of Godolphin had not been mitigated by his resignation, hinted their doubts whether the whole paper ought to be condemned. But, after a debate in which Montague particularly distinguished himself, the motion was carried with Coningsby's amendment. One or two voices cried "No:" but nobody ventured to demand a division.

Thus far all had gone smoothly: but in a few minutes the storm broke forth. The terrible words, Bill of Attainder, were pronounced; and all the Bill for fiercest passions of both the great factions attainting Fenwick. were instantly roused. The Tories had been taken by surprise; and many of them had left the House. Those who remained were loud in declaring that they never would consent to such a violation of the first principles of justice. The spirit of the Whigs was not less ardent; and their ranks were unbroken. motion for leave to bring in a bill attainting Sir John Fenwick was carried very late at night by one hundred and seventy-nine votes to sixty-one: but it was plain that the struggle would be long and hard.1

<sup>1</sup> The account of the events of this day I have taken from the Commons' Journals; the valuable work entitled Proceedings in

In truth, party-spirit had seldom been more strongly On both sides there was doubtless much honest zeal; and on both sides an observant eye might have detected fear, hatred, and cupidity, disguised under specious pretences of justice and public good. The baleful heat of faction rapidly warmed into life poisonous creeping things which had long been lying torpid, discarded spies and convicted false-witnesses, the leavings of the scourge, the branding-iron, and the shears. Even Fuller hoped that he might again find dupes to listen to him. The world had forgotten him since his pillorving. He now had the effrontery to write to the Speaker, begging to be heard at the bar, and promising much important information about Fenwick and others. On the ninth of November the Speaker informed the House that he had received this communication: but the House very properly refused even to suffer the letter of so notorious a villain to be read.

On the same day the Bill of Attainder, having been prepared by the Attorney and Solicitor-general, was brought in and read a first time. The House was full, and the debate sharp. on the Bill of Attainder. John Manley, member for Bossiney, one of those stanch Tories who, in the preceding session, had long refused to sign the Association, accused the majority, in no measured terms, of fawning

Parliament against Sir John Fenwick, Bart., upon a Bill of Attainder for High-treason, 1696; Vernon's Letter to Shrewsbury, November 6, 1696, and Somers's Letter to Shrewsbury, November 7. From both these letters it is plain that the Whig leaders had much difficulty in obtaining the absolution of Godolphin.

on the court and betraying the liberties of the people. His words were taken down; and, though he tried to explain them away, he was sent to the Tower. mour spoke strongly against the bill, and quoted the speech which Cæsar made in the Roman Senate against the motion that the accomplices of Catiline should be put to death in an irregular manner. A Whig orator keenly remarked that the worthy Baronet had forgotten that Cæsar was grievously suspected of having been himself concerned in Catiline's plot. In this stage a hundred and ninety-six members voted for the bill, a hundred and four against it. A copy was sent to Fenwick, in order that he might be prepared to defend himself. He begged to be heard by counsel: his request was granted; and the thirteenth was fixed for the hearing.

Never within the memory of the oldest member had there been such a stir round the House as on the morning of the thirteenth. The approaches were with some difficulty cleared; and no strangers, except peers, were suffered to come within the doors. Of peers the throng was so great that their presence had a perceptible influence on the debate. Even Seymour, who, having formerly been Speaker, ought to have been peculiarly mindful of the dignity of the Commons, so strangely forgot himself as once to say "My Lords." Fenwick, having been formally given up by the Sheriffs of London to the Sergeant-at-arms, was put to the bar, attended by two barristers who were generally em-

<sup>&</sup>lt;sup>1</sup> Commons' Journals, Nov. 9, 1696; Vernon to Shrewsbury, Nov. 10. The editor of the State Trials is mistaken in supposing that the quotation from Cæsar's speech was made in the debate of the 13th.

ployed by Jacobite culprits, Sir Thomas Powis and Sir Bartholomew Shower. Counsel appointed by the House appeared in support of the bill.

The examination of the witnesses and the arguments of the advocates occupied three days. Porter was called in and interrogated. It was established, not indeed by legal proof, but by such moral proof as determines the conduct of men in affairs of common life. that Goodman's absence was to be attributed to a scheme planned and executed by Fenwick's friends with Fenwick's privity. Secondary evidence of what Goodman, if he had been present, would have been able to prove, was, after a warm debate, admitted. His confession, made on oath and subscribed by his hand, was put in. Some of the grand jurymen who had found the bill against Sir John gave an account of what Goodman had sworn before them: and their testimony was confirmed by some of the petty jurymen who had convicted another conspirator. No evidence was produced in behalf of the prisoner. After counsel for him and against him had been heard, he was sent back to his cell.' Then the real struggle began. It was long and violent. The House repeatedly sat from daybreak till near midnight. Once the Speaker was in the chair fifteen hours without intermission. Strangers were, in this stage of the proceedings, freely admitted: for it was felt that, since the House chose to take on itself the functions of a court of justice, it ought, like a court of justice, to sit with open doors.2 The substance

<sup>&</sup>lt;sup>1</sup> Commons' Journals, Nov. 13, 16, 17; Proceedings against Sir John Fenwick.

<sup>\*</sup> A Letter to a Friend in Vindication of the Proceedings against Sir John Fenwick, 1697.

of the debates has consequently been preserved in a report, meagre, indeed, when compared with the reports of our time, but for that age unusually full. Every man of note in the House took part in the discussion. The bill was opposed by Finch with that fluent and sonorous rhetoric which had gained him the name of Silvertongue, and by Howe with all the sharpness both of his wit and of his temper, by Seymour with characteristic energy, and by Harley with characteristic solemnity. On the other side Montague displayed the powers of a consummate debater, and was zealously supported by Littleton. Conspicuous in the front ranks of the hostile parties were two distinguished lawyers, Simon Harcourt and William Cowper. were gentlemen of honorable descent: both were distinguished by their fine persons and graceful manners: both were renowned for eloquence; and both loved learning and learned men. It may be added that both had early in life been noted for prodigality and love of pleasure. Dissipation had made them poor: poverty had made them industrious; and though they were still, as age is reckoned at the Inns of Court, very young men, Harcourt only thirty-six, Cowper only thirty-two, they already had the first practice at the bar. They were destined to rise still higher, to be the bearers of the Great Seal of the realm, and the founders of patrician houses. In politics they were diametrically opposed to each other. Harcourt had seen the Revolution with disgust, had not chosen to sit in the Convention, had with difficulty reconciled his conscience to the oaths, and had tardily and unwillingly signed the Association. Cowper had been in arms for the Prince of Orange and a free Parliament, and had, in

the short and tumultuary campaign which preceded the flight of James, distinguished himself by intelligence and courage. Since Somers had been removed to the wool-sack, the law-officers of the crown had not made a very distinguished figure in the Lower House. or, indeed, anywhere else; and their deficiencies had been more than once supplied by Cowper. It is said that his skill had, at the trial of Parkvns, recovered the verdict which the mismanagement of the Solicitorgeneral had, for a moment, put in jeopardy. He had been chosen member for Hertford at the general election of 1695, and had scarcely taken his seat when he attained a high place among parliamentary speakers. Chesterfield, many years later, in one of his letters to his son, described Cowper as an orator who never spoke without applause, but who reasoned feebly, and who owed the influence which he long exercised over great assemblies to the singular charm of his style, his voice, and his action. Chesterfield was, beyond all doubt, intellectually qualified to form a correct judgment on such a subject. But it must be remembered that the object of his letters was to exalt good taste and politeness in opposition to much higher qualities. fore constantly and systematically attributed the success of the most eminent persons of his age to their superiority, not in solid abilities and acquirements, but in superficial graces of diction and manner. He represented even Marlborough as a man of very ordinary capacity, who, solely because he was extremely well bred and well spoken, had risen from poverty and obscurity to the height of power and glory. It may confidently be pronounced that both to Marlborough and to Cowper Chesterfield was unjust. The general who VOL. IX.-16.

saved the Empire and conquered the Low Countries was assuredly something more than a fine gentleman; and the judge who presided during nine years in the Court of Chancery with the approbation of all parties must have been something more than a fine declaimer.

Whoever attentively and impartially studies the report of the debates will be of opinion that, on many points which were discussed at great length and with great animation, the Whigs had a decided superiority in argument, but that on the main question the Tories were in the right.

It was true that the crime of high-treason was brought home to Fenwick by proofs which could leave no doubt on the mind of any man of common-sense, and would have been brought home to him according to the strict rules of law, if he had not, by committing another crime, eluded the justice of the ordinary tribunals. was true that he had, in the very act of professing repentance and imploring mercy, added a new offence to his former offences, that, while pretending to make a perfectly ingenuous confession, he had, with cunning malice, concealed everything which it was for the interest of the government that he should divulge, and proclaimed everything which it was for the interest of the government to bury in silence. It was a great evil that he should be beyond the reach of punishment; it was plain that he could be reached only by a bill of pains and penalties; and it could not be denied, either that many such bills had passed, or that no such bill had ever passed in a clearer case of guilt or after a fairer hearing.

Thus far the Whigs seem to have fully established their case. They had also a decided advantage in the dispute about the rule which requires two witnesses in cases of high-treason. The truth is that the rule is absurd. It is impossible to understand why the evidence which would be sufficient to prove that a man has fired at one of his fellow-subjects should not be sufficient to prove that he has fired at his Sovereign. It can by no means be laid down as a general maxim that the assertion of two witnesses is more convincing to the mind than the assertion of one witness. The story told by one witness may be in itself probable. The story told by two witnesses may be extravagant. The story told by one witness may be uncontradicted. The story told by two witnesses may be contradicted by four witnesses. The story told by one witness may be corroborated by a crowd of circumstances. The story told by two witnesses may have no such corroboration. The one witness may be Tillotson or Ken. The two witnesses may be Oates and Bedloe.

The chiefs of the Tory party, however, vehemently maintained that the law which required two witnesses was of universal and eternal obligation, part of the law of nature, part of the law of God. Seymour quoted the book of Numbers and the book of Deuteronomy to prove that no man ought to be condemned to death by the mouth of a single witness. "Caiaphas and his Sanhedrim," said Harley, "were ready enough to set up the plea of expediency for a violation of justice: they said—and we have heard such things said—"We must slay this man; or the Romans will come and take away our place and nation." Yet even Caiaphas and his Sanhedrim, in that foulest act of judicial murder, did not venture to set aside the sacred law which re-

quired two witnesses." "Even Jezebel," said another orator, "did not dare to take Naboth's vineyard from him till she had suborned two men of Belial to swear falsely." "If the testimony of one grave elder had been sufficient," it was asked, "what would have become of the virtuous Susannah?" This last allusion called forth a cry of "Apocrypha! Apocrypha!" from the ranks of the Low-Churchmen.

Over these arguments, which in truth can scarcely have imposed on those who condescended to use them, Montague obtained a complete and easy victory. "An eternal law! Where was this eternal law before the reign of Edward the Sixth? Where is it now, except in statutes which relate only to one very small class of If these texts from the Pentateuch and these precedents from the practice of the Sanhedrim prove anything, they prove the whole criminal jurisprudence of the realm to be a mass of injustice and impiety. witness is sufficient to convict a murderer, a burglar, a highwayman, an incendiary, a ravisher. Nav, there are cases of high-treason in which only one witness is required. One witness can send to Tyburn a gang of clippers and coiners. Are you, then, prepared to say that the law of evidence, according to which men have during ages been tried in this country for offences against life and property, is vicious and ought to be remodelled? If you shrink from saying this, you must admit that we are now proposing to dispense, not with a divine ordinance of universal and perpetual obligation, but simply with an English rule of procedure, which applies to not more than two or three crimes, which has not been in force a hundred and fifty years,

<sup>1</sup> This incident is mentioned by L'Hermitage.

which derives all its authority from an Act of Parliament, and which may therefore be by another act abrogated or suspended without offence to God or men." <sup>1</sup>

It was much less easy to answer the chiefs of the opposition when they set forth the danger of breaking down the partition which separates the functions of the legislator from those of the judge. "This man," it was said, "may be a bad Englishman; and yet his cause may be the cause of all good Englishmen. Only last year we passed an act to regulate the procedure of the ordinary courts in cases of treason. We passed that act because we thought that, in those courts, the life of a subject obnoxious to the government was not then sufficiently secured. Yet the life of a subject obnoxious to government was then far more secure than it will be if this House takes on itself to be the supreme criminal judicature in political cases." Warm eulogies were pronounced on the ancient national mode of trial by twelve good men and true; and, indeed, the advantages of that mode of trial in political cases are obvious. The prisoner is allowed to challenge any number of jurors with cause, and a considerable number without cause. The twelve, from the moment at which they are invested with their short magistracy till the moment at which they lay it down, are kept separate from the rest of the community. Every precaution is taken to prevent any agent of power from soliciting or corrupting them. Every one of them must hear every word of the evidence and every argument used on either side. The case is then summed up by a judge who

<sup>1</sup> On this subject Smalridge, afterward Bishop of Bristol, wrote a very sensible letter, which will be found in Nichols's *Itlustrations of Literary History*, iii., 255.

knows that, if he is guilty of partiality, he may be called to account by the great inquest of the nation. In the trial of Fenwick at the bar of the House of Commons all these securities were wanting. hundreds of gentlemen, every one of whom had much more than half made up his mind before the case was opened, performed the office both of judge and jury. They were not restrained, as a judge is restrained, by the sense of responsibility; for who was to punish a Parliament? They were not selected, as a jury is selected, in a manner which enables a culprit to exclude his personal and political enemies. The arbiters of the prisoner's fate came in and went out as they chose. They heard a fragment here and there of what was said against him, and a fragment here and there of what was said in his favor. During the progress of the bill they were exposed to every species of influence. One member might be threatened by the electors of his borough with the loss of his seat: another might obtain a frigate for his brother from Russell: the vote of a third might be secured by the caresses and Burgundy of Wharton. In the debates arts were practised and passions excited which are unknown to well-constituted tribunals, but from which no great popular assembly divided into parties ever was or ever will be free. The rhetoric of one orator called forth loud cries of "Hear him!" Another was coughed and scraped down. third spoke against time in order that his friends who were supping might come in to divide. If the life of the most worthless man could be sported with thus, was the life of the most virtuous man secure?

<sup>&</sup>lt;sup>1</sup>L'Hermitage tells us that such things took place in these debates.

The opponents of the bill did not, indeed, venture to say that there could be no public danger sufficient to justify an Act of Attainder. They admitted that there might be cases in which the general rule must bend to an overpowering necessity. But was this such a case? Even if it were granted, for the sake of argument, that Strafford and Monmouth were justly attainted, was Fenwick, like Strafford, a great minister who had long ruled England north of Trent, and all Ireland, with absolute power, who was high in the royal favor, and whose capacity, eloquence, and resolution made him an object of dread even in his fall? Or was Fenwick. like Monmouth, a pretender to the crown and the idol of the common people? Were all the finest youths of three counties crowding to enlist under his banners? What was he but a subordinate plotter? He had, indeed, once had good employments: but he had long He had once had a good estate: but he had lost them. wasted it. Eminent abilities and weight of character he had never had. He was, no doubt, connected by marriage with a very noble family: but that family did not share his political prejudices. What importance, then, had he, except that importance which his persecutors were most unwisely giving him by breaking through all the fences which guard the lives of Englishmen in order to destroy him? Even if he was set at liberty, what could he do but haunt Jacobite coffeehouses, squeeze oranges, and drink the health of Limp? If, however, the government, supported by the Lords and the Commons, by the fleet and the army, by a militia one hundred and sixty thousand strong, and by the half million of men who had signed the Association, did really apprehend danger from this poor ruined

baronet, the benefit of the Habeas Corpus Act might be withheld from him. He might be kept within four walls as long as there was the least chance of his doing mischief. It could hardly be contended that he was an enemy so terrible that the State could be safe only when he was in the grave.

It was acknowledged that precedents might be found for this bill, or even for a bill far more objectionable. But it was said that whoever reviewed our history would be disposed to regard such precedents rather as warnings than as examples. It had many times happened that an Act of Attainder, passed in a fit of servility or animosity, had, when fortune had changed, or when passion had cooled, been repealed and solemnly stigmatized as unjust. Thus, in old times, the act which was passed against Roger Mortimer, in the paroxysm of a resentment not unprovoked, had been, at a calmer moment, rescinded, on the ground that, however guilty he might have been, he had not had fair play for his life. Thus, within the memory of the existing generation, the law which attainted Strafford had been annulled, without one dissentient voice. Nor, it was added, ought it to be left unnoticed that, whether by virtue of the ordinary law of cause and effect, or by the extraordinary judgment of God, persons who had been eager to pass bills of pains and penalties had repeatedly perished by such bills. man had ever made a more unscrupulous use of the legislative power for the destruction of his enemies than Thomas Cromwell; and it was by an unscrupulous use of the legislative power that he was himself destroyed. If it were true that the unhappy gentleman whose fate was now trembling in the balance had himself formerly borne a part in a proceeding similar to that which was now instituted against him, was not this a fact which ought to suggest very serious reflections? Those who tauntingly reminded Fenwick that he had supported the bill which had attainted Monmouth might perhaps themselves be tauntingly reminded, in some dark and terrible hour, that they had supported the bill which "Let us remember what had attainted Fenwick. vicissitudes we have seen. Let us, from so many signal examples of the inconstancy of fortune, learn moderation in prosperity. How little we thought, when we saw this man a favorite courtier at Whitehall, a general surrounded with military pomp at Hounslow, that we should live to see him standing at our bar, and awaiting his doom from our lips! And how far is it from certain that we may not one day, in the bitterness of our souls, vainly invoke the protection of those mild laws which we now treat so lightly! God forbid that we should ever again be subject to tyranny! But God forbid, above all, that our tyrants should ever be able to plead, in justification of the worst that they can inflict upon us, precedents furnished by ourselves!"

These topics, skilfully handled, produced a great effect on many moderate Whigs. Montague did his best to rally his followers. We still possess the rude outline of what must have been a most effective peroration. "Gentlemen warn us"—this, or very nearly this, seems to have been what he said—"not to furnish King James with a precedent which, if ever he should be restored, he may use against ourselves. Do they really believe that, if that evil day shall ever come, this just and necessary law will be the pattern which he will imitate? No, sir, his model will be, not our

bill of attainder, but his own; not our bill, which, on full proof, and after a most fair hearing, inflicts deserved retribution on a single guilty head; but his own bill, which, without a defence, without an investigation, without an accusation, doomed near three thousand people, whose only crimes were their English blood and their Protestant faith, the men to the gallows, and the women to the stake. That is the precedent which he has set, and which he will follow. In order that he never may be able to follow it, in order that the fear of a righteous punishment may restrain those enemies of our country who wish to see him ruling in London as he ruled at Dublin, I give my vote for this bill."

In spite of all the eloquence and influence of the ministry, the minority grew stronger and stronger as the debates proceeded. The question that leave should be given to bring in the bill had been carried by nearly three to one. On the question that the bill should be committed, the Ayes were a hundred and eighty-six, the Noes a hundred and twenty-eight. On the question that the bill should pass, the Ayes were a hundred and eighty-nine, the Noes a hundred and fifty-six.

On the twenty-sixth of November, the bill was carried up to the Lords. Before it arrived, the Lords had made preparations to receive it. Every peer who was absent from town had been sumcarried up to the Lords. moned up: every peer who disobeyed the summons and was unable to give a satisfactory explanation of his disobedience was taken into custody by Black Rod. On the day fixed for the first reading, the crowd on the benches was unprecedented. The whole number of temporal Lords, exclusive of

minors Roman Catholics, and nonjurors, was about a hundred and forty. Of these a hundred and five were in their places. Many thought that the Bishops ought to have been permitted, if not required, to withdraw: for, by an ancient canon, those who ministered at the altars of God were forbidden to take any part in the infliction of capital punishment. On the trial of a peer accused of treason or felony, the prelates always retire, and leave the culprit to be absolved or condemned by lay-And surely, if it be unseemly that a divine should doom his fellow-creatures to death as a judge, it. must be still more unseemly that he should doom them to death as a legislator. In the latter case, as in the former, he contracts that stain of blood which the Church regards with horror; and it will scarcely be . denied that there are some grave objections to the shedding of blood by Act of Attainder which do not apply to the shedding of blood in the ordinary course of justice. In fact, when the bill for taking away the life of Strafford was under consideration, all the spiritual peers withdrew. Now, however, the example of Cranmer, who had voted for some of the most infamous acts of attainder that ever passed, was thought more worthy of imitation; and there was a great muster of lawn sleeves.1 It was very properly resolved that, on this occasion, the privilege of voting by proxy should be suspended, that the House should be called over at the beginning and at the end of every sitting, and that every Lord who did not answer to his name should be taken into custody.2

<sup>&</sup>lt;sup>1</sup> See a letter of Smalridge to Gough dated Nov. 10, 1696, in Nichols's *Illustrations of Literary History*, iii., 253.

<sup>&</sup>lt;sup>2</sup> See the Lords' Journals, Nov. 14, Nov. 30, Dec. 1, 1696.

Meanwhile the unquiet brain of Monmouth was teeming with strange designs. He had now reached at a time of life which youth could no longer be pleaded as an excuse for his faults: but he was more wayward and eccentric than Both in his intellectual and in his moral character there was an abundance of those fine qualities which may be called luxuries, and a lamentable deficiency of those solid qualities which are of the first necessity. He had brilliant wit and ready invention without common-sense, and chivalrous generosity and delicacy without common honesty. He was capable of rising to the part of the Black Prince; and yet he was capable of sinking to the part of Fuller. political life was blemished by some most dishonorable actions: vet he was not under the influence of those motives to which most of the dishonorable actions of politicians are to be ascribed. He valued power little. and money less. Of fear he was utterly insensible. If he sometimes stooped to be a knave—for no milder word will come up to the truth—it was merely to amuse himself and to astonish other people. In civil as in military affairs, he loved ambuscades, surprises, night attacks. He now imagined that he had a glorious opportunity of making a sensation, of producing a great commotion; and the temptation was irresistible to a spirit so restless as his.

He knew, or at least strongly suspected, that the stories which Fenwick had told on hearsay, and which King, Lords, and Commons, Whigs and Tories, had agreed to treat as calumnies, were, in the main, true. Was it possible to prove that they were true, to cross the wise policy of William, to bring disgrace at once

on some of the most eminent men of both parties, to throw the whole political world into inextricable confusion?

Nothing could be done without the help of the prisoner; and with the prisoner it was impossible to communicate directly. It was necessary to employ the intervention of more than one female agent. Duchess of Norfolk was a Mordaunt, and Monmouth's first cousin. Her gallantries were notorious; and her lord had, some years before, tried to induce his brother nobles to pass a bill for dissolving his marriage: but the attempt had been defeated, in consequence partly of the zeal with which Monmouth had fought the battle of his kinswoman. Her Grace, though separated from her husband, lived in a style suitable to her rank, and associated with many women of fashion, among whom were Lady Mary Fenwick, and a relation of Lady Mary, named Elizabeth Lawson. By the instrumentality of the Duchess, Monmouth conveyed to the prisoner several papers containing suggestions framed with much art. Let Sir John—such was the substance of these suggestions-boldly affirm that his confession is true, that he has brought accusations, on hearsay indeed, but not on common hearsay: let him aver that he has derived his knowledge from the highest quarters; and let him point out a mode in which his veracity may be easily brought to the test. Let him pray that the Earls of Portland and Romney, who are well known to enjoy the royal confidence, may be asked whether they are not in possession of information agreeing with what he has related. Let him pray that the King may be requested to lay before Parliament the evidence which caused the sudden disgrace of Lord Marlborough,

and any letters which may have been intercepted while passing between Saint Germains and Lord Godolphin. "Unless," said Monmouth to his female agents, "Sir John is under a fate, unless he is out of his mind, he will take my counsel. If he does, his life and honor are safe. If he does not, he is a dead man." Then this strange intriguer, with his usual license of speech, reviled William for what was in truth one of William's best titles to glory: "He is the worst of men. He has acted basely. He pretends not to believe these charges against Shrewsbury, Russell, Marlborough, Godolphin. And yet he knows"—and Monmouth confirmed the assertion by a tremendous oath—"he knows that every word of the charges is true."

The papers written by Monmouth were delivered by Lady Mary to her husband. If the advice which they contained had been followed, there can be little doubt that the object of the adviser would have been attained. The King would have been bitterly mortified: there would have been a general panic among public men of every party: even Marlborough's serene fortitude would have been severely tried; and Shrewsbury would probably have shot himself. But that Fenwick would have put himself in a better situation is by no means clear. Such was his own opinion. He saw that the step which he was urged to take was hazardous. He knew that he was urged to take that step, not because it was likely to save himself, but because it was certain to annoy others; and he was resolved not to be Monmouth's tool.

On the first of December the bill went through the earliest stage without a division. Then Fenwick's confession, which had, by the royal command, been

laid on the table, was read; and then Marlborough stood up. "Nobody can wonder," he said, "that a man whose head is in danger should try Debates of the Lords on to save himself by accusing others. I assure Your Lordships that, since the acthe Bill of Attainder. cession of his present Majesty, I have had no intercourse with Sir John on any subject whatever; and this I declare on my word of honor." Marlborough's assertion may have been true: but it was perfectly compatible with the truth of all that Fenwick had said. Godolphin went farther. "I certainly did," he said, "continue to the last in the service of King James and of his Queen. I was esteemed by them both. But I cannot think that a crime. It is possible that they and those who are about them may imagine that I am still attached to their interest. That I cannot help. But it is utterly false that I have had any such dealings with the Court of Saint Germains as are described in the paper which Your Lordships have heard read." 2

Fenwick was then brought in, and asked whether he had any further confession to make. Several peers interrogated him, but to no purpose. Monmouth, who could not believe that the papers which he had sent to Newgate had produced no effect, put, in a friendly and encouraging manner, questions intended to bring out answers which would have been by no means agreeable to the accused Lords. No such answer, however, was to be extracted from Fenwick. Monmouth saw that his ingenious machinations had failed. Enraged and

<sup>&</sup>lt;sup>1</sup> Wharton to Shrewsbury, Dec. 1, 1696; L'Hermitage, of the same date.

<sup>&</sup>lt;sup>2</sup> L'Hermitage, Dec. <sup>4</sup>/<sub>14</sub>, 1696; Wharton to Shrewsbury, Dec. 1.

disappointed, he suddenly turned round, and became more zealous for the bill than any other peer in the House. Everybody noticed the rapid change in his temper and manner: but that change was at first imputed merely to his well-known levity.

On the eighth of December the bill was again taken into consideration; and on that day Fenwick, accompanied by his counsel, was in attendance. But, before he was called in, a previous question was raised. Several distinguished Tories, particularly Nottingham, Rochester, Normanby, and Leeds, said that, in their opinion, it was idle to inquire whether the prisoner was guilty or not guilty, unless the House was of opinion that he was a person so formidable that, if guilty, he ought to be attainted by Act of Parliament. They did not wish, they said, to hear any evidence. For, even on the supposition that the evidence left no doubt of his criminality, they should still think it better to leave him unpunished than to make a law for punishing him. The general sense, however, was decidedly for proceeding.1 The prisoner and his counsel were allowed another week to prepare themselves; and at length, on the fifteenth of December, the struggle commenced in earnest.

The debates were the longest and the hottest, the divisions were the largest, the protests were the most numerously signed that had ever been known in the whole history of the House of Peers. Repeatedly the benches continued to be filled from ten in the morning till past midnight.<sup>2</sup> The health of many lords suffered severely: for the winter was bitterly cold: but the

<sup>&</sup>lt;sup>1</sup> Lords' Journals, Dec. 8, 1696; L'Hermitage, of the same date.

<sup>2</sup> L'Hermitage, Dec.  $\frac{15}{25}$ ,  $\frac{18}{28}$ , 1696.

majority was not disposed to be indulgent. evening Devonshire was unwell: he stole away and went to bed: but Black Rod was soon sent to bring him back. Leeds, whose constitution was extremely infirm, complained loudly. "It is very well," he said, "for young gentlemen to sit down to their suppers and their wine at two o'clock in the morning: but some of us old men are likely to be of as much use here as they; and we shall soon be in our graves if we are forced to keep such hours at such a season." So strongly was partyspirit excited that this appeal was disregarded, and the House continued to sit fourteen or fifteen hours a day. The chief opponents of the bill were Rochester, Nottingham, Normanby, and Leeds. The chief orators on the other side were Tankerville, who, in spite of the deep stains which a life singularly unfortunate had left on his public and private character, always spoke with an eloquence which riveted the attention of his hearers; Burnet, who made a great display of historical learning; Wharton, whose lively and familiar style of speaking, acquired in the House of Commons, sometimes shocked the formality of the Lords; and Monmouth, who had always carried the liberty of debate to the verge of licentiousness, and who now never opened his lips without inflicting a wound on the feelings of some adversary. A very few nobles of great weight-Devonshire, Dorset, Pembroke, and Ormond—formed a third party. They were willing to use the Bill of Attainder as an instrument of torture for the purpose of wringing a full confession out of the prisoner. But they were determined not to give a final vote for sending him to the scaffold.

<sup>&</sup>lt;sup>1</sup> L'Hermitage, Dec. <sup>18</sup>/<sub>28</sub>, 1696.

The first division was on the question whether secondary evidence of what Goodman could have proved should be admitted. On this occasion Burnet closed the debate by a powerful speech which none of the Tory orators could undertake to answer without premeditation. A hundred and twenty-six lords were present—a number unprecedented in our history. There were seventy-three Contents, and fifty-three Not Contents. Thirty-six of the minority protested against the decision of the House.

The next great trial of strength was on the question whether the bill should be read a second time. The debate was diversified by a curious episode. Monmouth, in a vehement declamation, threw some severe and well-merited reflections on the memory of the late Lord Jeffreys. The title and part of the ill-gotten wealth of Jeffreys had descended to his son, a dissolute lad, who had lately come of age, and who was then sitting in the House. The young man fired at hearing his father reviled. The House was forced to interfere, and to make both the disputants promise that the matter should go no farther. On this day a hundred and twenty-eight peers were present. The second reading was carried by seventy-three to fifty-five; and forty-nine of the fifty-five protested.

It was now thought by many that Fenwick's courage would give way. It was known that he was very un-

 $<sup>^1</sup>$  Lords' Journals, Dec. 15, 1696; L'Hermitage, Dec.  $\frac{18}{28}$ ; Vernon to Shrewsbury, Dec. 15. About the numbers there is a slight difference between Vernon and L'Hermitage. I have followed Vernon.

<sup>&</sup>lt;sup>2</sup> Lords' Journals, Dec. 18, 1696: Vernon to Shrewsbury, Dec. 19; L'Hermitage,  $\frac{Dec. 22}{Jan. I}$ . I take the numbers from Vernon.

willing to die. Hitherto he might have flattered himself with hopes that the bill would miscarry. But now that it had passed one House, and seemed certain to pass the other, it was probable that he would save himself by disclosing all that he knew. He was again put to the bar and interrogated. He refused to answer, on the ground that his answers might be used against him by the crown at the Old Bailey. He was assured that the House would protect him: but he pretended that this assurance was not sufficient: the House was not always sitting: he might be brought to trial during a recess, and hanged before their Lordships met again. royal word alone, he said, would be a complete guarantee. The Peers ordered him to be removed, and immediately resolved that Wharton should go to Kensington, and should entreat His Majesty to give the pledge which the prisoner required. Wharton hastened to Kensington, and hastened back with a gracious answer. Fenwick was again placed at the bar. The royal word, he was told, had been passed that nothing which he might say there should be used against him in any other place. Still he made difficulties. He might confess all that he knew, and yet might be told that he was still keeping something back. In short, he would say nothing till he had a pardon. He was then, for the last time, solemnly cautioned from the woolsack. He was assured that, if he would deal ingenuously with the Lords, they would be intercessors for him at the foot of the throne, and that their intercession would not be unsuccessful. If he continued obstinate, they would proceed with the bill. A short interval was allowed him for consideration; and he was then required to give his final answer. "I have

given it," he said: "I have no security. If I had, I should be glad to satisfy the House." He was then carried back to his cell: and the Peers separated, having sat far into the night."

At noon they met again. The third reading was moved. Tenison spoke for the bill with more ability than had been expected from him, and Monmouth with as much sharpness as in the previous debates. Devonshire declared that he could go no farther. had hoped that fear would induce Fenwick to make a frank confession: that hope was at an end: the question now was simply whether this man should be put to death by an act of Parliament; and to that question Devoushire said that he must answer, "Not Content." It is not easy to understand on what principle he can have thought himself justified in threatening to do what he did not think himself justified in doing. He was, however, followed by Dorset, Ormond, Pembroke, and two or three others. Devonshire, in the name of his little party, and Rochester, in the name of the

<sup>1</sup> Lords' Journals, Dec. 25, 1696; L'Hermitage,  $\frac{\text{Dec. 26.}}{\text{Jan. 4.}}$  In the Vernon Correspondence there is a letter from Vernon to Shrewsbury giving an account of the transactions of this day; but it is erroneously dated Dec. 2, and is placed according to that date. This is not the only blunder of the kind. A letter from Vernon to Shrewsbury, evidently written on the 7th of November, 1696, is dated and placed as a letter of the 7th of January, 1697. The Vernon Correspondence is of great value: but it is so ill edited that it cannot be safely used without much caution, and constant reference to other authorities. Of the notes it may be sufficient to say that the writer of them had never heard of Aaron Smith, the celebrated Solicitor of the Treasury, and the chief butt, during many years, of the Jacobite libellers. See the letter of Vernon to Shrewsbury, Nov. 14, 1696.

Tories, offered to waive all objections to the mode of proceeding, if the penalty were reduced from death to perpetual imprisonment. But the majority, though weakened by the defection of some considerable men. was still a majority, and would hear of no terms of compromise. The third reading was carried by only sixty-eight votes to sixty-one. Fifty-three Lords recorded their dissent; and forty-one subscribed a protest, in which the arguments against the bill were ably summed up.1 The Peers whom Fenwick had accused took different sides. Marlborough steadily voted with the majority, and induced Prince George to do the same. Godolphin as steadily voted with the minority. but, with characteristic wariness, abstained from giving, either in the debate or in the form of a written protest, any reason for his votes. No part of his life warrants us in ascribing his conduct to any exalted motive. It is probable that, having been driven from office by the Whigs and forced to take refuge among the Tories, he thought it advisable to go with his party.<sup>2</sup>

As soon as the bill had been read a third time, the attention of the Peers was called to a matter which deeply concerned the honor of their order. Lady Mary Fenwick had been, not unnaturally, moved to the highest resentment by the conduct of Monmouth. He had, after professing a great desire to save her husband, suddenly turned round, and become the most merciless of her husband's persecutors; and all this solely because the unfortunate

<sup>&</sup>lt;sup>1</sup> Lords' Journals, Dec. 23, 1696; Vernon to Shrewsbury, Dec. 24; L'Hermitage, Dec. 25. Jan. 4.

<sup>&</sup>lt;sup>2</sup> Vernon to Shrewsbury, Dec. 24, 1696. vol. 1x.—17.

prisoner would not suffer himself to be used as an instrument for the accomplishing of a wild scheme of mischief. She might be excused for thinking that revenge would be sweet. In her rage she showed to her kinsman the Earl of Carlisle the papers which she had received from the Duchess of Norfolk. Carlisle brought the subject before the Lords. The papers were pro-Lady Mary declared that she had received them from the Duchess. The Duchess declared that she had received them from Monmouth. Lawson confirmed the evidence of her two friends. the bitter things which the petulant Earl had said about William were repeated. The rage of both the great factions broke forth with ungovernable violence. The Whigs were exasperated by discovering that Monmouth had been secretly laboring to bring to shame and ruin two eminent men with whose reputation the reputation of the whole party was bound up. Tories accused him of dealing treacherously and cruelly by the prisoner and the prisoner's wife. Both among the Whigs and among the Tories Monmouth had, by his sneers and invectives, made numerous personal enemies, whom fear of his wit and of his sword had hitherto kept in awe.1 All these enemies were now open-mouthed against him. There was great curiosity to know what he would be able to say in his defence. His eloquence, the correspondent of the States-general wrote, had often annoyed others. He would now want

<sup>&</sup>lt;sup>1</sup> Dohna, who knew Monmouth well, describes him thus: "Il avoit de l'esprit infiniment, et même du plus agréable; mais il y avoit un peu trop de haut et de bas dans son fait. Il ne savoit ce que c'étoit que de ménager les gens; et il turlupinoit à l'outrance ceux qui ne lui plaisoient pas."

it all to protect himself.1 That eloquence, indeed, was of a kind much better suited to attack than to defence. Monmouth spoke near three hours in a confused and rambling manner, boasted extravagantly of his services and sacrifices, told the House that he had borne a great part in the Revolution, that he had made four voyages to Holland in the evil times, that he had since refused great places, that he had always held lucre in contempt. "I," he said, turning significantly to Nottingham, "have bought no great estate: I have built no palace: I am twenty thousand pounds poorer than when I entered public life. My old hereditary mansion is ready to fall about my ears. Who that remembers what I have done and suffered for His Majesty will believe that I would speak disrespectfully of him?" He solemnly declared—and this was the most serious of the many serious faults of his long and unquiet lifethat he had nothing to do with the papers which had caused so much scandal. The Papists, he said, hated him: they had laid a scheme to ruin him: his ungrateful kinswoman had consented to be their implement, and had requited the strenuous efforts which he had made in defence of her honor by trying to blast his. When he concluded there was a long silence. asked whether their Lordships wished him to withdraw. Then Leeds, to whom he had once professed a strong attachment, but whom he had deserted with characteristic inconstancy and assailed with characteristic petulance, seized the opportunity of revenging himself. "It is quite unnecessary," the shrewd old statesman said, "that the noble Earl should withdraw The question which we have now to decide at present.

<sup>1</sup> L'Hermitage, Jan. ½, 1697.

is merely whether these papers do or do not deserve our censure. Who wrote them is a question which may be considered hereafter." It was then moved and unanimously resolved that the papers were scandalous, and that the author had been guilty of a high crime and misdemeanor. Monmouth himself was, by these dexterous tactics, forced to join in condemning his own compositions.1 Then the House proceeded to inquire by whom the letters had been written. The character of the Duchess of Norfolk did not stand high: but her testimony was confirmed both by direct and by circumstantial evidence. Her husband said, with sour pleasantry, that he gave entire faith to what she had deposed. "My Lord thought her good enough to be wife to me; and, if she is good enough to be wife to me. I am sure that she is good enough to be a witness against him." In a House of about eighty peers, only eight or ten seemed inclined to show any favor to Monmouth. He was pronounced guilty of the act of which he had, in the most solemn manner, protested that he was innocent: he was sent to the Tower: he was turned out of all his places; and his name was struck out of the Council-book.2 It might well have been thought that the ruin of his fame and of his fortunes was irreparable. But there was about his nature an elasticity which nothing could subdue. prison, indeed, he was as violent as a falcon just caged, and would, if he had been long detained, have died of mere impatience. His only solace was to contrive wild

<sup>&</sup>lt;sup>1</sup> Lords' Journals, Jan. 9, 169 $\frac{6}{7}$ ; Vernon to Shrewsbury, of the same date; L'Hermitage, Jan.  $\frac{12}{2}$ .

<sup>&</sup>lt;sup>2</sup> Lords' Journals, Jan. 15,  $169\frac{6}{7}$ ; Vernon to Shrewsbury, of the same date; L'Hermitage, of the same date.

and romantic schemes for extricating himself from his difficulties and avenging himself on his enemies. When he regained his liberty, he stood alone in the world, a dishonored man, more hated by the Whigs than any Tory, and by the Tories than any Whig, and reduced to such poverty that he talked of retiring to the country, living like a farmer, and putting his Countess into the dairy to churn and to make cheeses. Yet, even after this fall, that mounting spirit rose again, and rose higher than ever. When he next appeared before the world, he had inherited the earldom of the head of his family: he had ceased to be called by the tarnished name of Monmouth; and he soon added new lustre to the name of Peterborough. He was still all air and fire. His ready wit and his dauntless courage made him formidable: some amiable qualities, which contrasted strangely with his vices, and some great exploits, of which the effect was heightened by the careless levity with which they were performed, made him popular; and his countrymen were willing to forget that a hero of whose achievements they were proud, and who was not more distinguished by parts and valor than by courtesy and generosity, had stooped to tricks worthy of the pillory.

It is interesting and instructive to compare the fate of Shrewsbury with the fate of Peterborough. The Position and honor of Shrewsbury was safe. He had feelings of been triumphantly acquitted of the charges Shrewsbury. contained in Fenwick's confession. He was soon afterward still more triumphantly acquitted of a still more odious charge. A wretched spy named Matthew Smith, who thought that he had not been sufficiently rewarded, and was bent on being revenged,

affirmed that Shrewsbury had received early information of the Assassination Plot, but had suppressed that information, and had taken no measures to prevent the conspirators from accomplishing their design. this was a foul calumny no person who has examined the evidence can doubt. The King declared that he could himself prove his minister's innocence; and the Peers, after examining Smith, pronounced the accusation unfounded. Shrewsbury was cleared as far as it was in the power of the Crown and of the Parliament to clear him. He had power and wealth, the favor of the King and the favor of the people. man had a greater number of devoted friends. He was the idol of the Whigs: yet he was not personally disliked by the Tories. It should seem that his situation was one which Peterborough might well have envied. But happiness and misery are from within. Peterborough had one of those minds of which the deepest wounds heal and leave no scar. Shrewsbury had one of those minds in which the slightest scratch may fester to the death. He had been publicly accused of corresponding with Saint Germains: and, though King, Lords, and Commons had pronounced him innocent, his conscience told him that he was guilty. praises which he knew that he had not deserved sounded to him like reproaches. He never regained his lost peace of mind. He left office: but one cruel recollection accompanied him into retirement. left England: but one cruel recollection pursued him over the Alps and the Apennines. On a memorable day, indeed, big with the fate of his country, he again. after many inactive and inglorious years, stood forth the Shrewsbury of 1688. Scarcely anything in history

is more melancholy than that late and solitary gleam, lighting up the close of a life which had dawned so splendidly, and which had so early become hopelessly troubled and gloomy.

On the day on which the Lords read the Bill of Attainder the third time, they adjourned over the Christmas holidays. The fate of Fenwick, consequently, remained during more than Attainder passed. a fortnight in suspense. In the interval plans of escape were formed; and it was thought necessary to place a strong military guard round Newgate. Some Jacobites knew William so little as to send him anonymous letters, threatening that he should be shot or stabbed if he dared to touch a hair of the prisoner's head.2 On the morning of the eleventh of January he passed the bill. He at the same time passed a bill which authorized the government to detain Bernardi and some other conspirators in custody during twelve months. On the evening of that day a deeply mournful event was the talk of all London. The Countess of Ailesbury had watched with intense anxiety the proceedings against Sir John. Her lord had been as deep as Sir John in treason, was, like Sir John, in confinement, and had, like Sir John, been a party to Goodman's flight. She had learned with dismay that there was a method by which a criminal who was beyond the reach of the ordinary law might be punished. Her terror had increased at every stage in the progress of the Bill of Attainder. On the day on which the royal assent was to be given, her agitation became greater than her frame could support. When she heard the sound of the guns which announced that

<sup>&</sup>lt;sup>1</sup> Postman, Dec. 29, 31, 1696. <sup>2</sup> L'Hermitage, Jan. <sup>12</sup>/<sub>22</sub>, 1697.

the King was on his way to Westminster, she fell into fits, and died in a few hours.

Even after the bill had become law, strenuous efforts were made to save Fenwick. His wife threw herself at William's feet, and offered him a petition. Attempts He took the paper from her hand, and said, to save Fenwick. very gently, that it should be considered, but that the matter was one of public concern, and that he must deliberate with his ministers before he decided.<sup>2</sup> She then addressed herself to the Lords. them that her husband had not expected his doom, that he had not had time to prepare himself for death, that he had not, during his long imprisonment, seen a divine. They were easily induced to request that he might be respited for a week. A respite was granted; but, forty-eight hours before it expired, Lady Mary presented to the Lords another petition, imploring them to intercede with the King that her husband's punishment might be commuted for banishment. House was taken by surprise; and a motion to adjourn was with difficulty carried by two votes.3 On the morrow, the last day of Fenwick's life, a similar petition was presented to the Commons. But the Whig leaders were on their guard: the attendance was full; and a motion for reading the Orders of the Day was carried by a hundred and fifty-two to a hundred and seven.4

<sup>&</sup>lt;sup>1</sup> Van Cleverskirke, Jan. ½2, 1697; L'Hermitage, Jan. ½5

<sup>&</sup>lt;sup>2</sup> L'Hermitage, Jan. <sup>15</sup>/<sub>25</sub>, 1697.

 $<sup>^3</sup>$  Lords' Journals, Jan. 22, 26,  $169\frac{6}{7}$ ; Vernon to Shrewsbury, Jan. 26.

<sup>&</sup>lt;sup>4</sup> Commons' Journals, Jan. 27, 169 $\frac{6}{7}$ . The entry in the Journals, which might easily escape notice, is explained by a letter of L'Hermitage, written  $\frac{\text{Jan. 29}}{\text{Feb. 8}}$ .

In truth, neither branch of the legislature could, without condemning itself, request William to spare Fenwick's life. Jurymen, who have, in the discharge of a painful duty, pronounced a culprit guilty, may, with perfect consistency, recommend him to the favorable consideration of the crown. But the Houses ought not to have passed the Bill of Attainder unless they were convinced, not merely that Sir John had committed high-treason, but also that he could not, without serious danger to the Commonwealth, be suffered to live. He could not be at once a proper object of such a bill and a proper object of the royal mercy.

On the twenty-eighth of January the execution took place. In compliment to the noble families with which Fenwick was connected, orders were given Fenwick's that the ceremonial should be in all respects execution. the same as when a peer of the realm suffers A scaffold was erected on Tower Hill and hung death. with black. The prisoner was brought from Newgate in the coach of his kinsman the Earl of Carlisle, which was surrounded by a troop of the Life Guards. the day was cold and stormy, the crowd of spectators was immense: but there was no disturbance, and no sign that the multitude sympathized with the criminal. He behaved with a firmness which had not been expected from him. He ascended the scaffold with steady steps, and bowed courteously to the persons who were assembled on it, but spoke to none, except White, the deprived Bishop of Peterborough. White prayed with him during about half an hour. In the prayer the King was commended to the Divine protection: but no name which could give offence was pronounced. wick then delivered a sealed paper to the Sheriffs, took

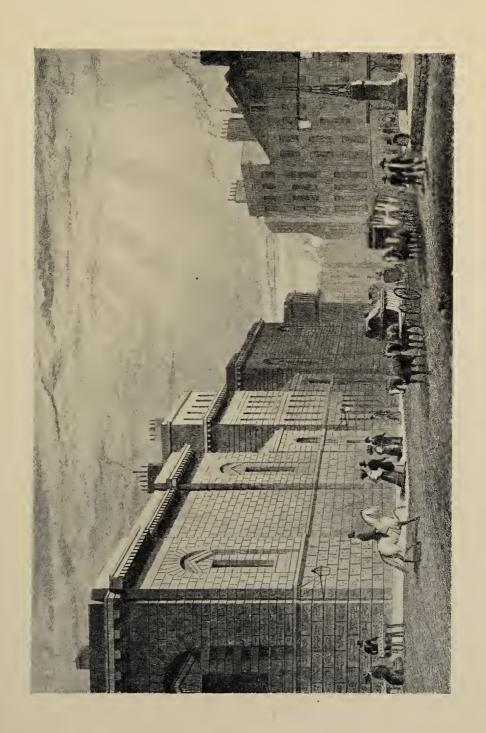
leave of the Bishop, knelt down, laid his neck on the block, and exclaimed, "Lord Jesus, receive my soul!" His head was severed from his body at a single blow. His remains were placed in a rich coffin, and buried that night, by torchlight, under the pavement of St. Martin's Church.

Meanwhile an important question, about which public feeling was much excited, had been under discussion. As soon as the Parliament met, a Bill Bill for the for Regulating Elections, differing little in Regulating of Elections. substance from the bill which the King had refused to pass in the preceding session, was brought into the House of Commons, was eagerly welcomed by the country gentlemen, and was pushed through every stage. On the report it was moved that five thousand pounds in personal estate should be a sufficient qualification for the representative of a city or But this amendment was rejected. On the third reading a rider was added, which permitted a merchant possessed of five thousand pounds to represent the town in which he resided: but it was provided that no person should be considered as a merchant because he was a proprietor of Bank Stock or East India Stock. The fight was hard. Cowper distinguished himself among the opponents of the bill. His sarcastic remarks on the hunting, hawking boors, who wished to keep in their own hands the whole business of legislation, called forth some sharp rustic retorts. squire, he was told, was as likely to serve the country well as the most fluent gownsman, who was ready, for

<sup>&</sup>lt;sup>1</sup>L'Hermitage, Jan 29, 1697; London Gazette, Feb. 1; Paris Gazette; Vernon to Shrewsbury, Jan. 28; Burnet, ii., 193.

Newgate Prison, London.
From a design by Thomas H. Shepherd.







a guinea, to prove that black was white. On the question whether the bill should pass, the Ayes were two hundred, the Noes a hundred and sixty.

The Lords had, twelve months before, readily agreed to a similar bill: but they had since reconsidered the subject and changed their opinion. The truth is that, if a law requiring every member of the House of Commons to possess an estate of some hundred of pounds a year in land could have been strictly enforced, such a law would have been very advantageous to country gentlemen of moderate property, but would have been by no means advantageous to the grandees of the realm. A lord of a small manor would have stood for the town in the neighborhood of which his family had resided during centuries, without any apprehension that he should be opposed by some alderman of London, whom the electors had never seen before the day of nomination, and whose chief title to their favor was a pocket-book full of bank-notes. a great nobleman, who had an estate of fifteen or twenty thousand pounds a year, and who commanded two or three boroughs, would no longer be able to put his younger son, his younger brother, his man of business, into Parliament, or to earn a garter or a step in the peerage by finding a seat for a Lord of the Treasury or an Attorney-general. On this occasion, therefore, the interest of the chiefs of the aristocracy, Norfolk and Somerset, Newcastle and Bedford, Pembroke and Dorset, coincided with that of the wealthy traders of the City and of the clever young aspirants of the Temple, and was diametrically opposed to the interest

<sup>&</sup>lt;sup>1</sup> Commons' Journals, Dec. 19, 1696; Vernon to Shrewsbury, Nov. 28, 1696.

of a squire of a thousand or twelve hundred a year. On the day fixed for the second reading the attendance of Lords was great. Several petitions from constituent bodies, which thought it hard that a new restriction should be imposed on the exercise of the elective franchise, were presented and read. After a debate of some hours, the bill was rejected by sixty-two votes to thirty-seven. Only three days later, a strong party in the Commons, burning with resentment, proposed to tack the bill which the Peers had just rejected to the Land-tax Bill. This motion would probably have been carried, had not Foley gone somewhat beyond the duties of his place, and, under pretence of speaking to order, shown that such a tack would be without a precedent in parliamentary history. When the question was put, the Ayes raised so loud a cry that it was believed that they were the majority; but on a division they proved to be only a hundred and thirty-five. The Noes were a hundred and sixty-three.2

Other parliamentary proceedings of this session deserve mention. While the Commons were busily en-Bill for the gaged in the great work of restoring the Regulation finances, an incident took place which of the Press. seemed, during a short time, likely to be fatal to the infant liberty of the press, but which eventually proved the means of confirming that liberty.

Jan. 23; L'Hermitage,  $\frac{Jan. 26}{Feb. 5}$ ; Vernon to Shrewsbury

<sup>&</sup>lt;sup>2</sup> Commons' Journals, Jan. 26, 169<sup>6</sup>; Vernon to Shrewsbury, and Van Cleverskirke to the States-general, of the same date. It is curious that the King and the Lords should have made so strenuous a fight against the Commons in defence of one of the five points of the People's Charter.

Among the many newspapers which had been established since the expiration of the censorship, was one called the Flying Post. The editor, John Salisbury, was the tool of a band of stock-jobbers in the City, whose interest it happened to be to cry down the public He one day published a false and malicious paragraph, evidently intended to throw suspicion on the Exchequer Bills. On the credit of the Exchequer Bills depended, at that moment, the political greatness and the commercial prosperity of the realm. House of Commons was in a flame. The Speaker issued his warrant against Salisbury. In the first heat of resentment, it was resolved, without a division, that a bill should be brought in to prohibit the publishing of news without a license. Forty-eight hours later the bill was presented and read. But the members had now had time to cool. There was scarcely one among them whose residence in the country had not, during the preceding summer, been made more agreeable by the London journals. Meagre as those journals may seem to a person who has the Times daily on his breakfast-table, they were to that generation a new and abundant source of pleasure. No Devonshire or Yorkshire gentleman, Whig or Tory, could bear the thought of being again dependent, during seven months of every year, for all information about what was doing in the world, on news-letters. If the bill passed, the sheets, which were now so impatiently expected twice a week at every country-seat in the kingdom, would contain nothing but what it suited the Secretary of State to make public: they would be, in fact, so many London Gazettes: and the most assiduous reader of the London Gazette might be utterly ignorant of the most imvol. IX.—18.

portant events of his time. A few voices, however, were raised in favor of a censorship. "These papers," it was said, "frequently contain mischievous matter." "Then why are they not prosecuted?" was the answer. "Has the Attorney-general filed an information against any one of them? And is it not absurd to ask us to give a new remedy by statute, when the old remedy afforded by the common law has never been tried?" On the question whether the bill should be read a second time, the Ayes were only sixteen, the Noes two hundred."

Another bill, which fared better, ought to be noticed as an instance of the slow, but steady progress of civili-

Bill abolishing the privileges of Whitefriars and the Savoy.

zation. The ancient immunities enjoyed by some districts of the capital, of which the largest and most infamous was Whitefriars, had produced abuses which could no longer be endured. The Templars on one side of Alsatia, and the citizens on the other, had

long been calling on the government and the legislature to put down so monstrous a nuisance. Yet still, bounded on the west by the great school of English jurisprudence, and on the east by the great mart of English trade, stood this labyrinth of squalid, tottering

<sup>1</sup> Commons' Journals, April 1, 3, 1697; Narcissus Luttrell's Diary; L'Hermitage, April  $\frac{2}{12}$ ,  $\frac{6}{16}$ . L'Hermitage says, "La plupart des membres, lorsqu'ils sont à la campagne, estant bien aises d'estre informez par plus d'un endroit de ce qui se passe, et s'imaginant que la Gazette qui se fait sous la direction d'un des Sécrétaires d'Etat, ne contiendroit pas autant de choses que fait celle-cy, ne sont pas fâchez que d'autres les instruisent." The numbers on the division I take from L'Hermitage. They are not to be found in the Journals. But the Journals were not then so accurately kept as at present.

houses, close packed, every one, from cellar to cockloft, with outcasts whose life was one long war with society. The most respectable part of the population consisted of debtors who were in fear of bailiffs. The rest were attorneys struck off the roll, witnesses who carried straw in their shoes as a sign to inform the public where a false oath might be procured for half a crown, sharpers, receivers of stolen goods, clippers of coin, forgers of bank-notes, and tawdry women, blooming with paint and brandy, who, in their anger, made free use of their nails and their scissors, yet whose anger was less to be dreaded than their kindness. these wretches the narrow alleys of the sanctuary The rattling of dice, the call for more punch and more wine, and the noise of blasphemy and ribald song never ceased during the whole night. benches of the Inner Temple could bear the scandal and the annoyance no longer. They ordered the gate leading into Whitefriars to be bricked up. The Alsatians mustered in great force, attacked the workmen, killed one of them, pulled down the wall, knocked down the Sheriff who came to keep the peace, and carried off his gold chain, which, no doubt, was soon in the melting-pot. The tumult was not suppressed till a company of the Foot Guards arrived. This riot excited general indignation. The City, indignant at the outrage done to the Sheriff, cried loudly for justice. Yet, so difficult was it to execute any process in the dens of Whitefriars, that near two years elapsed before a single ringleader was apprehended.1

The Savoy was another place of the same kind, smaller, indeed, and less renowned, but inhabited by a

<sup>&</sup>lt;sup>1</sup> Narcissus Luttrell's *Diary*, June, 1691, May, 1693.

not less lawless population. An unfortunate tailor who ventured to go thither for the purpose of demanding payment of a debt, was set upon by the whole mob of cheats, ruffians, and courtesans. He offered to give a full discharge to the debtor and a treat to the rabble, but in vain. He had violated their franchises; and this crime was not to be pardoned. He was knocked down, stripped, tarred, and feathered. A rope was tied round his waist. He was dragged naked up and down the streets amidst yells of "A bailiff! A bailiff!" Finally he was compelled to kneel down and to curse his father and mother. Having performed this ceremony, he was permitted—and the permission was blamed by many of the Savoyards-to limp home without a rag upon him.1 The Bog of Allen, the passes of the Grampians, were not more unsafe than this small knot of lanes, surrounded by the mansions of the greatest nobles of a flourishing and enlightened kingdom.

At length, in 1697, a bill for abolishing the franchises of these places passed both Houses, and received the royal assent. The Alsatians and Savoyards were furious. Anonymous letters, containing menaces of assassination, were received by members of Parliament who had made themselves conspicuous by the zeal with which they had supported the bill: but such threats only strengthened the general conviction that it was high time to destroy these nests of knaves and ruffians. A fortnight's grace was allowed; and it was made known that, when that time had expired, the vermin who had been the curse of London would be unearthed and hunted without mercy. There was a tumultuous flight

<sup>&</sup>lt;sup>1</sup> Commons' Journals, Dec. 30, 1696; Postman, July 4, 1696.

to Ireland, to France, to the Colonies, to vaults and garrets in less notorious parts of the capital; and when, on the prescribed day, the Sheriff's officers ventured to cross the boundary, they found those streets where, a few weeks before, the cry of "A writ!" would have drawn together a thousand raging bullies and vixens. as quiet as the cloister of a cathedral.1

On the sixteenth of April, the King closed the session with a speech, in which he returned warm and

Close of the motions and appointments.

well-merited thanks to the Houses for the close of the session: pro- firmness and wisdom which had rescued the nation from commercial and financial difficulties unprecedented in our history. Before he set out for the Continent, he con-

ferred some new honors and made some new ministerial arrangements. Every member of the Whig junto was distinguished by some conspicuous mark of royal favor. Somers delivered up the seal of which he was Keeper: he received it back again with the higher title of Chancellor, and was immediately commanded to affix it to a patent, by which he was created Baron Somers of Evesham.<sup>2</sup> Russell became Earl of Orford and Viscount Barfleur. No English title had ever before been taken from a place of battle lying within a foreign territory. the precedent then set has been repeatedly followed; and the names of Saint Vincent, Trafalgar, Camperdown, and Douro are now borne by the successors of great commanders. Russell seems to have accepted his earldom, after his fashion, not only without gratitude, but grumblingly, and as if some great wrong had

<sup>1</sup> Postman, April 22, 1697; Narcissus Luttrell's Diary; Short History of the Last Parliament, 1699.

<sup>&</sup>lt;sup>2</sup> London Gazette, April 26, 29, 1697.

been done him. What was a coronet to him? He had no child to inherit it. The only distinction which he should have prized was the garter; and the garter had been given to Portland. Of course, such things were for the Dutch; and it was a strange presumption in an Englishman, though he might have won a victory which had saved the State, to expect that his pretensions would be considered till all the Mynheers about the palace had been served.

Wharton, still retaining his place of Comptroller of the Household, obtained the lucrative office of Chiefjustice in Eyre, South of Trent; and his brother, Godwin Wharton, was made a Lord of the Admiralty.<sup>2</sup>

Though the resignation of Godolphin had been accepted in October, no new commission of Treasury was issued till after the prorogation. Who should be First Commissioner was a question long and fiercely disputed. For Montague's faults had made him many enemies, and his merits many more. Dull formalists sneered at him as a wit and a poet, who, no doubt, showed quick parts in debate, but who had already been raised far higher than his services merited and than his brain would bear. It would be absurd to place such a young coxcomb, merely because he could talk fluently and cleverly, in an office on which the well-being of the kingdom depended. Surely Sir Stephen Fox was, of all the Lords of the Treasury, the fittest to be at the head of the Board. He was an elderly man, grave, experienced, exact, laborious; and he had never made a verse in his life. The King hesi-

<sup>&</sup>lt;sup>1</sup> London Gazette, April 29, 1697; L'Hermitage, April 23. May 3.

<sup>&</sup>lt;sup>2</sup> London Gazette, April 26, 29, 1697; L'Hermitage, April 23. May 3.

tated during a considerable time between the two candidates: but time was all in Montague's favor; for. from the first to the last day of the session, his fame was constantly rising. The voice of the House of Commons and of the City loudly designated him as pre-eminently qualified to be the chief minister of finance. At length Sir Stephen Fox withdrew from the competiton, though not with a very good grace. He wished it to be notified in the London Gazette that the place of First Lord had been offered to him, and declined by him. Such a notification would have been an affront to Montague; and Montague, flushed with prosperity and glory, was not in a mood to put up with The dispute was compromised. Montague affronts. became First Lord of the Treasury; and the vacant seat at the Board was filled by Sir Thomas Littleton, one of the ablest and most consistent Whigs in the House of Commons. But, from tenderness to Fox, these promotions were not announced in the Gazette.1

Dorset resigned the office of Chamberlain, but not in ill-humor, and retired loaded with marks of royal favor. He was succeeded by Sunderland, who was also appointed one of the Lords-justices, not without much murmuring from various quarters. To the Tories Sunderland was an object of unmixed detestation. Some of the Whig leaders had been unable to resist his

<sup>&</sup>lt;sup>1</sup> What the opinion of the public was we learn from a letter written by L'Hermitage immediately after Godolphin's resignation, Nov.  $\frac{3}{13}$ , 1696, "Le public tourne plus la veue sur le Sieur Montegu, qui a la seconde charge de la Trésorerie que sur aucun autre." The strange silence of the *London Gazette* is explained by a letter of Vernon to Shrewsbury, dated May 1, 1697.

<sup>&</sup>lt;sup>2</sup> London Gazette, April 22, 26, 1697.

insinuating address; and others were grateful for the services which he had lately rendered to the party. But the leaders could not restrain their followers. Plain men, who were zealous for civil liberty and for the Protestant religion, who were beyond the range of Sunderland's irresistible fascination, and who knew that he had sat in the High Commission, concurred in the Declaration of Indulgence, borne witness against the Seven Bishops, and received the host from a Popish priest, could not, without indignation and shame, see him standing with the staff in his hand, close to the Still more monstrous was it that such a man should be intrusted with the administration of the government during the absence of the Sovereign. William did not understand these feelings. Sunderland was able: he was useful: he was unprincipled, indeed: but so were all the English politicians of the generation which had learned, under the sullen tyranny of the Saints, to disbelieve in virtue, and which had, during the wild jubilee of the Restoration, been dissolved in vice. He was a fair specimen of his class, a little worse, perhaps, than Leeds or Godolphin, and about as bad as Russell or Marlborough. Why he was to be hunted from the herd the King could not imagine.

Notwithstanding the discontent which was caused by Sunderland's elevation, England was, during this summer, perfectly quiet and in excellent temper. All but the fanatical Jacobites were elated by the rapid revival of trade and by the near prospect of peace. Nor were Ireland and Scotland less tranquil.

In Ireland nothing deserving to be minutely related had taken place since Sidney had ceased to be Lordlieutenant. The government had suffered the colon-

ists to domineer unchecked over the native population; and the colonists had in return been profoundly obsequious to the government. The proceed-State of ings of the local legislature which sat at Dub-Ireland. lin had been in no respect more important or more interesting than the proceedings of the Assembly of Barbadoes. Perhaps the most momentous event in the parliamentary history of Ireland at this time was a dispute between the two Houses which was caused by a collision between the coach of the Speaker and the coach of the Chancellor. There were, indeed, factions, but factions which sprang merely from personal pretensions and animosities. The names of Whig and Tory had been carried across Saint George's Channel, but had in the passage lost all their meaning. A man who was called a Tory at Dublin would have passed at Westminster for as stanch a Whig as Wharton. The highest Churchman in Ireland abhorred and dreaded Popery so much that they were disposed to consider every Protestant as a brother. They remembered the tyranny of James, the robberies, the burnings, the confiscations, the brass money, the Act of Attainder, with bitter resentment. They honored William as their deliverer and preserver. Nay, they could not help feeling a certain respect even for the memory of Cromwell: for, whatever else he might have been, he had been the champion and the avenger of their race. Between the divisions of England, therefore, and the divisions of Ireland there was scarcely anything in common. England there were two parties, of the same race and religion, contending with each other. In Ireland there were two castes, of different races and religions. one trampling on the other.

Scotland, too, was quiet. The harvest of the last year had indeed been scanty; and there was, consequently, much suffering. But the spirit of the nation was buoyed up by wild hopes, destined to end in cruel disappointment. A magnificent day-dream of wealth and empire so completely occupied the minds of men that they hardly felt the present distress. How that dream originated, and by how terrible an awakening it was broken, will be related hereafter.

In the autumn of 1696 the Estates of Scotland met at Edinburgh. The attendance was thin; and the session lasted only five weeks. A supply amount-parliament at ing to little more than a hundred thousand pounds sterling was voted. Two acts for the securing of the government were passed. One of those acts required all persons in public trust to sign an association similar to the Association which had been so generally subscribed in the south of the island. The other act provided that the Parliament of Scotland should not be dissolved by the death of the King.

But by far the most important event of this short session was the passing of the Act for the settling of Schools. By this memorable law it was, in the Scotch phrase, statuted and ordained schools. that every parish in the realm should provide a commodious school-house, and should pay a moderate stipend to a school-master. The effect could not be immediately felt. But, before one generation had passed away, it began to be evident that the common people of Scotland were superior in intelligence to the common people of any other country in Europe. To whatever land the Scotchman might wander, to

whatever calling he might betake himself, in America or in India, in trade or in war, the advantage which he derived from his early training raised him above his competitors. If he was taken into a warehouse as a porter, he soon became foreman. If he enlisted in the army, he soon became a sergeant. Scotland, meanwhile, in spite of the barrenness of her soil and the severity of her climate, made such progress in agriculture, in manufactures, in commerce, in letters, in science, in all that constitutes civilization, as the Old World had never seen equalled, and as even the New World has scarcely seen surpassed.

This wonderful change is to be attributed, not indeed solely, but principally, to the national system of education. But to the men by whom that system was established posterity owes no gratitude. They knew not what they were doing. They were the unconscious instruments of enlightening the understanding and humanizing the hearts of millions. But their own understandings were as dark and their own hearts as obdurate as those of the Familiars of the Inquisition at In the very month in which the Act for the Lisbon. settling of Schools was touched with the sceptre, the rulers of the Church and State in Scotland began to carry on with vigor two persecutions worthy of the tenth century—a persecution of witches and a persecution of infidels. A crowd of wretches, guilty only of being old and miserable, were accused of trafficking with the devil. The Privy Council was not ashamed to issue a Commission for the trial of twenty-two of these poor creatures.1 The shops of the booksellers of Edinburgh were strictly searched for heretical works.

<sup>&</sup>lt;sup>1</sup> Postman, Jan. 26, March 7, 11, 169<sup>6</sup>, April 8, 1697.

Impious books, among which the sages of the Presbytery ranked Thomas Burnet's Sacred Theory of the Earth, were strictly suppressed. But the destruction of mere paper and sheepskin would not satisfy the bigots. Their hatred required victims who could feel, and was not appeared till they had perpetrated a crime such as has never since polluted the island.

A student of eighteen, named Thomas Aikenhead, whose habits were studious and whose morals were irreproachable, had, in the course of his reading, met with some of the ordinary arguments Thomas Aikenhead. against the Bible. He fancied that he had lighted on a mine of wisdom which had been hidden from the rest of mankind, and, with the conceit from which half-educated lads of quick parts are seldom free, proclaimed his discoveries to four or five of his companions. Trinity in unity, he said, was as much a contradiction as a square circle. Ezra was the author of the Pentateuch. The Apocalypse was an allegorical book about the philosopher's stone. Moses had learned magic in Egypt. Christianity was a delusion which would not last till the year 1800. For this wild talk. of which, in all probability, he would himself have been ashamed long before he was five-and-twenty, he was prosecuted by the Lord Advocate. The Lord Advocate was that James Stewart who had been so often a Whig and so often a Jacobite that it is difficult to keep an account of his apostasies. He was now a Whig for the third, if not for the fourth time. Aikenhead might undoubtedly have been, by the law of Scotland, punished with imprisonment till he should retract his errors and do penance before the congregation of his parish:

<sup>1</sup> Postman, Oct. 29, 1696.

and every man of sense and humanity would have thought this a sufficient punishment for the prate of a forward boy. But Stewart, as cruel as he was base, There was among the Scottish called for blood. statutes one which made it a capital crime to revile or curse the Supreme Being or any person of the Trinity. Nothing that Aikenhead had said could, without the most violent straining, be brought within the scope of this statute. But the Lord Advocate exerted all his subtlety. The poor youth at the bar had no counsel. He was altogether unable to do justice to his own cause. He was convicted, and sentenced to be hanged and buried at the foot of the gallows. It was in vain that he with tears abjured his errors and begged piteously for mercy. Some of those who saw him in his dungeon believed that his recantation was sincere: and, indeed, it is by no means improbable that in him, as in many other pretenders to philosophy who imagine that they have completely emancipated themselves from the religion of their childhood, the near prospect of death may have produced an entire change of senti-He petitioned the Privy Council that, if his life could not be spared, he might be allowed a short respite to make his peace with the God whom he had offended. Some of the councillors were for granting this small indulgence. Others thought that it ought not to be granted unless the ministers of Edinburgh would intercede. The two parties were evenly balanced; and the question was decided against the prisoner by the casting vote of the Chancellor. Chancellor was a man who has been often mentioned in the course of this history, and never mentioned with honor. He was that Sir Patrick Hume whose disputatious and factious temper had brought ruin on the expedition of Argyle, and had caused not a little annoyance to the government of William. In the Club which had braved the King and domineered over the Parliament there had been no more noisy republican. But a title and a place had produced a wonderful conversion. Sir Patrick was now Lord Polwarth; he had the custody of the Great Seal of Scotland; he presided in the Privy Council; and thus he had it in his power to do the worst action of his bad life.

It remained to be seen how the clergy of Edinburgh would act. That divines should be deaf to the entreaties of a penitent who asks, not for pardon, but for a little more time to receive their instructions and to pray to Heaven for the mercy which cannot be extended to him on earth, seems almost incredible. so it was. The ministers demanded, not only the poor boy's death, but his speedy death, though it should be his eternal death. Even from their pulpits they cried out for cutting him off. It is probable that their real reason for refusing him a respite of a few days was their apprehension that the circumstances of his case might be reported at Kensington, and that the King, who, while reciting the Coronation Oath, had declared from the throne that he would not be a persecutor, might send down positive orders that the sentence should not be Aikenhead was hanged between Edinburgh executed. and Leith. He professed deep repentance, and suffered with the Bible in his hand. The people of Edinburgh, though assuredly not disposed to think lightly of his offence, were moved to compassion by his youth, by his penitence, and by the cruel haste with which he was hurried out of the world. It seems that there

was some apprehension of a rescue: for a strong body of fusileers was under arms to support the civil power. The preachers who were the boy's murderers crowded round him at the gallows, and, while he was struggling in the last agony, insulted Heaven with prayers more blasphemous than anything that he had ever uttered. Wodrow has told no blacker story of Dundee.

On the whole, the British Islands had not, during ten years, been so free from internal troubles as when William, at the close of April, 1697, set out for Military the Continent. The war in the Netherlands operations in the was a little, and but a little, less languid Netherlands. than in the preceding year. The French generals opened the campaign by taking the small town of Aeth. They then meditated a far more important They made a sudden push for Brussels, and conquest. would probably have succeeded in their design but for the activity of William. He was encamped on ground which lies within sight of the Lion of Waterloo, when he received, late in the evening, intelligence that the capital of the Netherlands was in danger. He instantly put his forces in motion, marched all night, and, having traversed the field destined to acquire, a hundred and eighteen years later, a terrible renown, and threaded the long defiles of the Forest of Soignies, he was at ten in the morning on the spot from which Brussels had been bombarded two years before, and would, if he had arrived only three hours later, have been bombarded again. Here he surrounded himself with intrench-

<sup>&</sup>lt;sup>1</sup> Howell's State Trials; Postman, Jan. <sup>9</sup>/<sub>19</sub>, 169<sup>6</sup>/<sub>7</sub>. Some idle and dishonest objections which have been made to this part of my narrative have been triumphantly refuted in a little tract entitled Thomas Aikenhead, by Mr. John Gordon.

ments which the enemy did not venture to attack. This was the most important military event which, during that summer, took place in the Low Countries. In both camps there was an unwillingness to run any great risk on the eve of a general pacification.

Lewis had, early in the spring, for the first time during his long reign, spontaneously offered equitable and honorable conditions to his foes. peace offered declared himself willing to relinquish the by France. conquests which he had made in the course of the war, to cede Lorraine to its own Duke, to give back Luxemburg to Spain, to give back Strasburg to the Empire, and to acknowledge the existing government of England.' Those who remembered the great woes which his faithless and merciless ambition had brought on Europe might well suspect that this unwonted moderation was not to be ascribed to sentiments of justice or humanity. But, whatever might be his motive for proposing such terms, it was plainly the interest and the duty of the Confederacy to accept them. For there was little hope, indeed, of wringing from him by war concessions larger than those which he now tendered as the price of peace. The most sanguine of his enemies could hardly expect a long series of campaigns as successful as that of 1695. Yet in a long series of campaigns as successful as that of 1695, the allies would hardly be able to retake all that he now professed himself ready to restore. William, who took, as usual, a clear and statesmanlike view of the whole situation, now gave his voice as decidedly for concluding peace as he had in former years given it for

<sup>1</sup> See the Protocol of February 16, 1697, in the Actes et Mémoires des Négociations de la Paix de Ryswick, 1707.

vigorously prosecuting the war; and he was backed by the public opinion both of England and of Holland. But, unhappily, just at the time when the two powers, which alone, among the members of the coalition, had manfully done their duty in the long struggle, were beginning to rejoice in the near prospect of repose, some of those governments which had never furnished their full contingents, which had never been ready in time, which had been constantly sending excuses in return for subsidies, began to raise difficulties such as seemed likely to make the miseries of Europe eternal.

Spain had, as William, in the bitterness of his spirit, wrote to Heinsius, contributed nothing to the common cause but rodomontades. She had made no Conduct vigorous effort even to defend her own terriof Spain. tories against invasion. She would have lost Flanders and Brabant but for the English and Dutch armies. She would have lost Catalonia but for the English and Dutch fleets. The Milanese she had saved, not by arms, but by concluding, in spite of the remonstrances of the English and Dutch governments, an ignominious treaty of neutrality. She had not a ship of war able to weather a gale. She had not a regiment that was not ill paid and ill disciplined, ragged and famished. Yet repeatedly, within the last two years, she had treated both William and the States-general with an impertinence which showed that she was altogether ignorant of her place among states. She now became punctilious, demanded from Lewis concessions which the events of the war gave her no right to expect, and seemed to think it hard that allies, whom she was constantly treating with in-VOL. IX.-19.

dignity, were not willing to lavish their blood and treasure for her during eight years more.

The conduct of Spain is to be attributed merely to arrogance and folly. But the unwillingness of the Emperor to consent, even to the fairest the Emperor. terms of accommodation was the effect of selfish ambition. The Catholic King was childless: he was sickly: his life was not worth three years' purchase; and, when he died, his dominions would be left to be struggled for by a crowd of competitors. Both the House of Austria and the House of Bourbon had claims to that immense heritage. was plainly for the interest of the House of Austria that the important day, come when it might, should find a great European coalition in arms against the House of Bourbon. The object of the Emperor, therefore, was that the war should continue to be carried on, as it had hitherto been carried on, at a light charge to him and a heavy charge to England and Holland, not till just conditions of peace could be obtained, but simply till the King of Spain should die. "The ministers of the Emperor," William wrote to Heinsius, "ought to be ashamed of their conduct. It is intolerable that a government, which is doing everything in its power to make the negotiations fail, should contribute nothing to the common defence."

It is not strange that in such circumstances the work of pacification should have made little progress. International law, like other law, has its chicanery, its subtle pleadings, its technical forms, which may too

<sup>&</sup>lt;sup>1</sup> William to Heinsius, Dec.  $\frac{11}{21}$ , 1696. There are similar expressions in other letters written by the King about the same time.

easily be so employed as to make its substance ineffi-Those litigants, therefore, who did not wish the litigation to come to a speedy close had no difficulty in interposing delays. There was a long dispute about the place where the conferences should be held. The Emperor proposed Aix-la-Chapelle. The French objected, and proposed the Hague. Then the Emperor objected in his turn. At last it was arranged that the ministers of the Allied Powers should meet at the Hague, and that the French plenipotentiaries should take up their abode five miles off at Delft. To Delft accordingly repaired Harlay, a man of distinguished parts and good-breeding, sprung from one of the great families of the robe; Crecy, a shrewd, patient, and laborious diplomatist; and Caillieres, who, though he was named only third in the credentials, was much better informed than either of his colleagues touching all the points which were likely to be debated.2 At the Hague were the Earl of Pembroke and Edward, Viscount Villiers, who represented England. accompanied them, with the rank of Secretary. At the head of the Imperial Legation was Count Kaunitz: at the head of the Spanish Legation was Don Francisco Bernardo de Quiros: the ministers of inferior rank it would be tedious to enumerate.3

<sup>&</sup>lt;sup>1</sup> See the papers drawn up at Vienna, and dated Sept. 16, 1696, and March 14, 1697. See also the Protocol drawn up at Hague, March  $\frac{18}{28}$ , 1697. These documents will be found in the Actes et Mémoires des Négociations de la Paix de Ryswick, 1707.

<sup>&</sup>lt;sup>2</sup> Characters of all the three French Ministers are given by Saint Simon.

<sup>3</sup> Actes et Mémoires des Négociations de la Paix de Ryswick.

Half-way between Delft and the Hague is a village named Ryswick; and near it then stood, in a rectangular garden, which was bounded by straight Congress of canals, and divided into formal woods, Ryswick. flower-beds, and melon-beds, a seat of the Princes of Orange. The house seemed to have been built expressly for the accommodation of such a set of diplomatists as were to meet there. In the centre was a large hall painted by Honthorst. On the right hand and on the left were wings exactly corresponding Each wing was accessible by its own to each other. bridge, its own gate, and its own avenue. One wing was assigned to the Allies, the other to the French, the hall in the centre to the mediator. Some preliminary questions of etiquette were, not without difficulty, adjusted; and at length, on the ninth of May, many coaches and six, attended by harbingers, footmen, and pages, approached the mansion by different roads. The Swedish minister alighted at the grand entrance. The procession from the Hague came up the side alley on the right. The procession from Delft came up the side alley on the left. At the first meeting, the full powers of the representatives of the belligerents were delivered to the mediator. At the second meeting, forty-eight hours later, the mediator performed the ceremony of exchanging these full powers. several meetings were spent in settling how many carriages, how many horses, how many lackeys, how many pages, each minister should be entitled to bring to Ryswick; whether the serving-men should carry canes; whether they should wear swords; whether

<sup>&</sup>lt;sup>1</sup> An engraving and ground-plan of the mansion will be found in the *Actes et Mémoires*.

they should have pistols in their holsters; who should take the upper hand in the public walks, and whose carriage should break the way in the streets. It soon appeared that the mediator would have to mediate, not only between the coalition and the French, but also between the different members of the coalition. The Imperial Ambassadors claimed a right to sit at the head of the table. The Spanish Ambassador would not admit this pretension, and tried to thrust himself in between two of them. The Imperial Ambassadors refused to call the ambassadors of Electors and Commonwealths by the title of Excellency. "If I am not called Excellency," said the Minister of the Elector of Brandenburg, "my master will withdraw his troops from Hungary." The Imperial Ambassadors insisted on having a room to themselves in the building, and on having a special place assigned to their carriages in the court. All the other ministers of the Confederacy pronounced the demand altogether inadmissible; and a whole sitting was wasted in this childish dispute. may easily be supposed that allies who were so punctilious in their dealings with each other were not likely to be very easy in their intercourse with the common enemy. The chief business of Harlay and Kaunitz was to watch each other's legs. Neither of them thought it consistent with the dignity of the crown which he served to advance toward the other faster than the other advanced toward him. If, therefore, one of them perceived that he had inadvertently stepped forward too quick, he went back to the door, and the stately minuet began again. The ministers of Lewis drew up a paper in their own language. The German statesmen protested against this innovation, this insult

to the dignity of the Holy Roman Empire, this encroachment on the rights of independent nations, and would not know anything about the paper till it had been translated from good French into bad Latin. the middle of April it was known to everybody at the Hague that Charles the Eleventh, King of Sweden, was dead, and had been succeeded by his son: but it was contrary to etiquette that any of the assembled envoys should appear to be acquainted with this fact till Lilienroth had made a formal announcement: it was not less contrary to etiquette that Lilienroth should make such an announcement till his equipages and his household had been put into mourning; and some weeks elapsed before his coach-makers and tailors had completed their task. At length, on the twelfth of June, he came to Ryswick in a carriage lined with black and attended by servants in black liveries, and there, in full congress, proclaimed that it had pleased God to take to himself the most puissant King Charles the Eleventh. All the Ambassadors then condoled with their brother on the sad and unexpected news, and went home to put off their embroidery and to dress themselves in the garb of sorrow. In such solemn trifling week after week passed away. progress was made. Lilienroth had no wish to accelerate matters. While the congress lasted, his position was one of great dignity. He would willingly have gone on mediating forever; and he could not go on mediating, unless the parties on his right and on his left went on wrangling.1

<sup>&</sup>lt;sup>1</sup> Whoever wishes to be fully informed as to the idle controversies and mummeries in which the Congress wasted its time may consult the *Actes et Mémoires*.

In June the hope of peace began to grow faint. remembered that the last war had continued to rage, year after year, while a Congress was sitting at Nimeguen. The mediators had made their entrance into that town in February, 1676. The treaty had not been signed till February, 1679. Yet the negotiation of Nimeguen had not proceeded more slowly than the negotiation of Ryswick. It seemed but too probable that the eighteenth century would find great armies still confronting each other on the Meuse and the Rhine, industrious populations still ground down by taxation, fertile provinces still lying waste, the ocean still made impassable by corsairs, and the plenipotentiaries still exchanging notes, drawing up protocols, and quarreling about the place where this minister should sit, and the title by which that minister should be called.

But William was fully determined to bring this mummery to a speedy close. He would have either peace or war. Either was, in his view, bet-William ter than this intermediate state which united opens a the disadvantages of both. While the nedistinct gotiation was pending, there could be no diminution of the burdens which pressed on his people; and yet he could expect no energetic action from his If France was really disposed to conclude a treaty on fair terms, that treaty should be concluded in spite of the imbecility of the Catholic King, and in spite of the selfish cunning of the Emperor. If France was insincere, the sooner the truth was known, the sooner the farce which was acting at Ryswick was over, the sooner the people of England and Holland-for on them everything depended—were told that they must make up their minds to great exertions and sacrifices the better.

Pembroke and Villiers, though they had now the help of a veteran diplomatist, Sir Joseph Williamson, could do little or nothing to accelerate the proceedings of the Congress. For, though France had promised that, whenever peace should be made, she would recognize the Prince of Orange as King of Great Britain and Ireland, she had not yet recognized him. ministers had therefore had no direct intercourse with Harlay, Crecy, and Caillieres. William, with the judgment and decision of a true statesman, determined to open a communication with Lewis through one of the French Marshals who commanded in the Netherlands. Of those Marshals Villerov was the highest in rank. But Villeroy was weak, rash, haughty, irritable. Such a negotiator was far more likely to embroil matters than to bring them to an amicable settlement. Boufflers was a man of sense and temper; and fortunately he had, during the few days which he had passed at Huy after the fall of Namur, been under the care of Portland, by whom he had been treated with the greatest courtesy and kindness. A friendship had sprung up between the prisoner and his keeper. They were both brave soldiers, honorable gentlemen, trusty servants. William justly thought that they were far more likely to come to an understanding than Harlay and Kaunitz, even with the aid of Lilienroth. Portland, indeed, had all the essential qualities of an excellent diplomatist. In England, the people were prejudiced against him as a foreigner: his earldom, his garter. his lucrative places, his rapidly growing wealth, excited envy: his dialect was not understood: his man-

ners were not those of the men of fashion who had been formed at Whitehall: his abilities were therefore greatly underrated; and it was the fashion to call him a blockhead, fit only to carry messages. But on the Continent, where he was judged without malevolence, he made a very different impression. It is a remarkable fact that this man, who in the drawing-rooms and coffee-houses of London was described as an awkward, stupid, Hogan Mogan-such was the phrase of that time—was considered at Versailles as an eminently polished courtier and an eminently expert negotiator.1 His chief recommendation, however, was his incorruptible integrity. It was certain that the interests which were committed to his care would be as dear to him as his own life, and that every report which he made to his master would be literally exact.

Toward the close of June Portland sent to Boufflers a friendly message, begging for an interview of half an hour. Boufflers instantly sent off an exportland and press to Lewis, and received an answer in the shortest time in which it was possible

¹ Saint Simon was certainly as good a judge of men as any of those English grumblers who called Portland a dunce and a boor. Saint Simon, too, had every opportunity of forming a correct judgment; for he saw Portland in a situation full of difficulties; and Saint Simon says, in one place, "Benting, discret, secret, poli aux autres, fidèle à son maître, adroit en affaires, le servit très utilement;" in another, "Portland parut avec un éclat personnel, une politesse, un air de monde et de cour, une galanterie et des grâces qui surprirent: avec cela, beaucoup de dignité, même de hauteur, mais avec discernement et un jugement prompt sans rien de hasardé." Boufflers, too, extols Portland's good-breeding and tact. See the letter of Boufflers to Lewis, July 9, 1697. It will be found in the valuable collection published by M. Grimblot.

for a courier to ride post to Versailles and back again. Lewis directed the Marshal to comply with Portland's request, to say as little as possible and to learn as much as possible.<sup>1</sup>

On the twenty-eighth of June, according to the Old Style, the meeting took place in the neighborhood of Hal, a town which lies about ten miles from Brussels, on the road to Mons. After the first civilities had been exchanged, Boufflers and Portland dismounted: their attendants retired; and the two negotiators were left alone in an orchard. Here they walked up and down during two hours, and in that time did much more business than the plenipotentiaries at Ryswick were able to despatch in as many months.<sup>2</sup>

Till this time the French government had entertained a suspicion, natural indeed, but altogether erroneous, that William was bent on protracting the war, that he had consented to treat merely because he could not venture to oppose himself to the public opinion both of England and of Holland, but that he wished the negotiation to be abortive, and that the perverse conduct of the House of Austria and the difficulties which had arisen at Ryswick were to be chiefly ascribed to his machinations. That suspicion was now removed. Compliments, cold, austere, and full of dignity, yet respectful, were exchanged between the two great princes whose enmity had, during a quarter of a century, kept Europe in constant agitation. The negotiation between Boufflers and Portland proceeded as fast as the neces-

<sup>&</sup>lt;sup>1</sup> Boufflers to Lewis,  $\frac{\text{June 21}}{\text{July 1}}$ , 1697; Lewis to Boufflers,  $\frac{\text{June 22}}{\text{July 2}}$ ; Boufflers to Lewis,  $\frac{\text{June 25}}{\text{July 5}}$ .

<sup>&</sup>lt;sup>2</sup> Boufflers to Lewis, June 29. July 8, July 9, 1697.

sity of frequent reference to Versailles would permit. Their first five conferences were held in the open air: but, at their sixth meeting, they retired into a small house in which Portland had ordered tables, pens, ink, and paper to be placed; and here the result of their labors was reduced to writing.

The really important points which had been in issue were four. William had demanded two concessions from Lewis; and Lewis had demanded two concessions from William.

William's first demand was that France should bind herself to give no help or countenance, directly or indirectly, to any attempt which might be made by James, or by James's adherents, to disturb the existing order of things in England.

William's second demand was that James should no longer be suffered to reside at a place so dangerously near to England as Saint Germains.

To the first of these demands Lewis replied that he was perfectly ready to bind himself by a covenant drawn in the most solemn form not to assist or countenance, in any manner, any attempt to disturb the existing order of things in England; but that it was inconsistent with his honor that the name of his kinsman and guest should appear in such a covenant.

To the second demand Lewis replied that he could not refuse his hospitality to an unfortunate king who had taken refuge in his dominions, and that he could not promise even to indicate a wish that James would quit Saint Germains. But Boufflers, as if speaking his own thoughts, though doubtless saying nothing but what he knew to be in conformity to his master's wishes, hinted that the matter would probably be

managed, and named Avignon as a place where the banished family might reside without giving any umbrage to the English government.

Lewis, on the other side, demanded, first, that a general amnesty should be granted to the Jacobites; and, secondly, that Mary of Modena should receive her jointure of fifty thousand pounds a year.

With the first of these demands William peremptorily refused to comply. He should always be ready, of his own free will, to pardon the offences of men who showed a disposition to live quietly for the future under his government: but he could not consent to make the exercise of his prerogative of mercy a matter of stipulation with any foreign power. The annuity claimed by Mary of Modena he would willingly pay, if he could only be satisfied that it would not be expended in machinations against his throne and his person, in supporting, on the coast of Kent, another establishment like that of Hunt, or in buying horses and arms for another enterprise like that of Turnham Green. Boufflers had mentioned Avignon. If James and his Queen would take up their abode there, no difficulties would be made about the jointure.

At length all the questions in dispute were settled.

After much discussion an article was framed by which

Lewis pledged his word of honor that he would not countenance, in any manner, any tween France attempt to subvert or disturb the existing and England government of England. William, in turn, gave his promise not to countenance any attempt against the government of France. This promise Lewis had not asked, and at first seemed inclined to consider as an affront. His throne, he said,

was perfectly secure, his title undisputed. There were in his dominions no nonjurors, no conspirators; and he did not think it consistent with his dignity to enter into a compact which seemed to imply that he was in fear of plots and insurrections such as a dynasty sprung from a revolution might naturally apprehend. On this point, however, he gave way; and it was agreed that the covenants should be strictly reciprocal. William ceased to demand that James should be mentioned by name; and Lewis ceased to demand that an amnesty should be granted to James's adherents. It was determined that nothing should be said in the treaty, either about the place where the banished King of England should reside, or about the jointure of his Queen. But William authorized his plenipotentiaries at the Congress to declare that Mary of Modena should have whatever, on examination, it should appear that she was by law entitled to have. What she was by law entitled to have was a question which it would have puzzled all Westminster Hall to answer. was well understood that she would receive, without any contest, the utmost that she could have any pretence for asking, as soon as she and her husband should retire to Provence or to Italy.1

<sup>1</sup> My account of this negotiation I have taken chiefly from the despatches in the French Foreign Office. Translations of those despatches have been published by M. Grimblot. See also Burnet, ii., 200, 201.

It has been frequently asserted that William promised to pay Mary of Modena fifty thousand pounds a year. Whoever takes the trouble to read the Protocol of Sept.  $\frac{10}{20}$ , 1697, among the Acts of the Peace of Ryswick, will see that my account is correct. Prior evidently understood the protocol as I understand it. For he says, in a letter to Lexington of Sept. 17, 1697,

Before the end of July everything was settled, as far as France and England were concerned. Meanwhile, it was known to the ministers assembled at Ryswick that Boufflers and Portland Spain and the had repeatedly met in Brabant, and that they were negotiating in a most irregular and indecorous manner, without credentials, or media-

"No. 2 is the thing to which the King consents as to Queen Marie's settlements. It is fairly giving her what the law allows her. The mediator is to dictate this paper to the French, and enter it into his protocol; and so I think we shall come off à bon marché upon that article." My own belief is that Mary of Modena had no strictly legal claim to anything. The argument in her favor, as Burnet states it, is one to which no tribunal would listen for a moment.

It was rumored at the time (see Boyer's History of William III., 1703) that Portland and Boufflers had agreed on a secret article by which it was stipulated that, after the death of William, the Prince of Wales should succeed to the English throne. This fable has often been repeated, but was never believed by men of sense, and can hardly, since the publication of the letters which passed between Lewis and Boufflers, find credit even with the weakest. Dalrymple and other writers imagined that they had found in the Life of James (ii., 574, 575) proof that the story of the secret article was true. The passage on which they relied was certainly not written by James, nor under his direction. Moreover, when we examine this passage, we shall find that it not only does not bear out the story of the secret article, but directly contradicts that story. The compiler of the Life tells us that, after James had declared that he never would consent to purchase the English throne for his posterity by surrendering his own rights, nothing more was said on the subject. Now it is quite certain that James, in his Memorial published in March, 1697, a Memorial which will be found both in the Life (ii., 566) and in the Acts of the Peace of Ryswick, declared to all Europe that he never would stoop to so low and degenerate an action as to permit the Prince of Orange to reign on condition

tion, or notes, or protocols, without counting each other's steps, and without calling each other Excellency. So barbarously ignorant were they of the rudiments of the noble science of diplomacy, that they had very nearly accomplished the work of restoring peace to Christendom while walking up and down an alley under some apple-trees. The English and Dutch

that the Prince of Wales should succeed. It follows, if credit is due to the compiler of the *Life of James*, that nothing was said on this subject after March, 1697. Nothing, therefore, can have been said on this subject in the conferences between Boufflers and Portland, which did not begin till late in June.

Was there then absolutely no foundation for the story? I believe that there was a foundation; and I have already related the facts on which this superstructure of fiction has been reared. It is quite certain that Lewis, in 1693, intimated to the allies, through the government of Sweden, his hope that some expedient might be devised which would reconcile the Princes who laid claim to the English crown. The expedient at which he hinted was, no doubt, that the Prince of Wales should succeed William and Mary. It is possible that, as the compiler of the Life of James says, William may have "show'd no great aversness" to this arrangement. He had no reason, public or private, for preferring his sister-in-law to his brother-in-law, if his brother-in-law were bred a Protestant. But William could do nothing without the concurrence of the Parliament; and it is in the highest degree improbable that either he or the Parliament would ever have consented to make the settlement of the English crown a matter of stipulation with France. James, too, proved altogether impracticable. Lewis consequently gave up all thoughts of effecting a compromise, and bound himself, as we have seen, to recognize William as King of England "without any difficulty, restriction, condition, or reserve." It seems quite certain that, after this promise, which was made in December, 1696, the Prince of Wales was not again mentioned in the negotiations.

loudly applauded William's prudence and decision. He had cut the knot which the Congress had only twisted and tangled. He had done in a month what all the formalists and pedants assembled at the Hague would not have done in ten years. Nor were the French Plenipotentiaries ill pleased. "It is odd." said Harlay, a man of wit and sense, "that, while the ambassadors are making war, the generals should be making peace." But Spain preserved the same air of arrogant listlessness; and the ministers of the Emperor, forgetting apparently that their master had, a few months before, concluded a treaty of neutrality for Italy, without consulting William, seemed to think it most extraordinary that William should presume to negotiate without consulting their master. It became daily more evident that the Court of Vienna was bent on prolonging the war. On the tenth of July the French ministers again proposed fair and honorable terms of peace, but added that, if those terms were not accepted by the twenty-first of August, the Most Christian King would not consider himself bound by his offer.2 William in vaiu exhorted his allies to be reason-The senseless pride of one branch of the House of Austria and the selfish policy of the other were proof to all argument. The twenty-first of August came and passed: the treaty had not been signed: France was at liberty to raise her demands; and she did so. For just at this time news arrived of two great blows which had fallen on Spain, one in the Old and

 $<sup>^1</sup>$  Prior MS. ; Williamson to Lexington, July  $\frac{20}{30},\ 1697$  ; Williamson to Shrewsbury,  $\frac{\rm July\ 23.}{\rm Aug.\ 2.}$ 

<sup>&</sup>lt;sup>2</sup> The note of the French ministers, dated July  $\frac{10}{20}$ , 1697, will be found in the *Actes et Mémoires*.

one in the New World. A French army, commanded by Vendome, had taken Barcelona. A French squadron had stolen out of Brest, had eluded the allied fleets, had crossed the Atlantic, had sacked Carthagena, and had returned to France laden with treasure.1 The Spanish government passed at once from haughty apathy to abject terror, and was ready to accept any conditions which the conqueror might dictate. The French plenipotentiaries announced to the Congress that their master was determined to keep Strasburg, and that, unless the terms which he had offered, thus modified, were accepted by the tenth of September, he should hold himself at liberty to insist on further modi-Never had the temper of William been more severely tried. He was provoked by the perverseness of his allies: he was provoked by the imperious language of the enemy. It was not without a hard struggle and a sharp pang that he made up his mind to consent to what France now proposed. But he felt that it would be utterly impossible, even if it were desirable, to prevail on the House of Commons and on the States-general to continue the war for the purpose of wresting from France a single fortress—a fortress in the fate of which neither England nor Holland had any immediate interest, a fortress, too, which had been lost to the Empire solely in consequence of the unreasonable obstinacy of the Imperial court. He determined to accept the modified terms, and directed his ambassadors to sign on the prescribed day. The ambassadors of Spain and Holland received similar instructions. There was no doubt that the Emperor, though he murmured and protested, would soon follow the example

<sup>&</sup>lt;sup>1</sup> Monthly Mercuries for August and September, 1697.

of his confederates. That he might have time to make up his mind, it was stipulated that he should be included in the treaty if he notified his adhesion by the first of November.

Meanwhile James was moving the mirth and pity of all Europe by his lamentations and menaces. He had in vain insisted on his right to send, as the James to pre- only true King of England, a minister to vent a general the Congress.1 He had in vain addressed to all the Roman Catholic princes of the confederacy a memorial in which he adjured them to join with France in a crusade against England for the purpose of restoring him to his inheritance, and of annulling that impious Bill of Rights which excluded members of the true Church from the throne.2 When he found that this appeal was disregarded, he put forth a solemn protest against the validity of all treaties to which the existing government of England should be a party. He pronounced all the engagements into which his kingdom had entered since the Revolution null and void. He gave notice that he should not, if he should regain his power, think himself bound by any of those engagements. He admitted that he might, by breaking those engagements, bring great calamities both on his own dominions and on all Christendom. But for those calamities he declared that he should not think himself answerable either before God or before man. It seems almost incredible that even a Stuart, and the worst and dullest of the Stuarts, should have thought that the first duty, not merely of his own

<sup>1</sup> Life of James, ii., 565.

<sup>&</sup>lt;sup>2</sup> Actes et Mémoires des Négociations de la Paix de Ryswick; Life of James, ii., 566.

subjects, but of all mankind, was to support his rights; that Frenchmen, Germans, Italians, Spaniards, were guilty of a crime if they did not shed their blood and lavish their wealth, year after year, in his cause; that the interests of the sixty millions of human beings to whom peace would be a blessing were of absolutely no account when compared with the interests of one man.<sup>1</sup>

In spite of his protests, the day of peace drew nigh. On the tenth of September the Ambassadors of France, England, Spain, and the United Provinces The treaty met at Ryswick. Three treaties were to be of Ryswick signed. signed; and there was a long dispute on the momentous question which should be signed first. was one in the morning before it was settled that the treaty between France and the States-general should have precedence; and the day was breaking before all the instruments had been executed. Then the plenipotentiaries, with many bows, congratulated each other on having had the honor of contributing to so great a work.2

A sloop was in waiting for Prior. He hastened on board, and on the third day, after weathering an equinoctial gale, landed on the coast of Suffolk.<sup>3</sup>

Very seldom had there been greater excitement in London than during the month which preceded his arrival. When the west wind kept back the Dutch packets, the anxiety of the people became intense. Every morning hundreds of thousands rose up hoping to hear that the treaty

<sup>&</sup>lt;sup>1</sup> James's Protest will be found in his Life, ii., 572.

<sup>&</sup>lt;sup>2</sup> Actes et Mémoires des Négociations de la Paix de Ryswick; Williamson to Lexington, Sept. ½4, 1697; Prior MS.

<sup>&</sup>lt;sup>3</sup> Prior MS.

was signed; and every mail which came in without bringing the good news caused bitter disappointment. The malcontents, indeed, loudly asserted that there would be no peace, and that the negotiation would, even at this late hour, be broken off. One of them had seen a person just arrived from Saint Germains: another had had the privilege of reading a letter in the handwriting of Her Majesty; and all were confident that Lewis would never acknowledge the usurper. Many of those who held this language were under so strong a delusion that they backed their opinion by large wagers. When the intelligence of the fall of Barcelona arrived, all the treason taverns were in a ferment with nonjuring priests laughing, talking loud, and shaking each other by the hand.

At length, in the afternoon of the thirteenth of September, some speculators in the City received, by a News of the private channel certain intelligence that the peace arrives treaty had been signed before dawn on the in England. morning of the eleventh. They kept their own secret, and hastened to make a profitable use of it; but their eagerness to obtain bank-stock, and the high prices which they offered, excited suspicion; and there was a general belief that on the next day something important would be announced. On the next day Prior, with the treaty, presented himself before the Lords-justices at Whitehall. Instantly a flag was hoisted on the Abbey, another on Saint Martin's Church. The Tower guns proclaimed the glad tidings. All the spires and towers from Greenwich to Chelsea made answer.

<sup>&</sup>lt;sup>1</sup> L'Hermitage, July <sup>20</sup>/<sub>30</sub>, July <sup>27</sup>/<sub>Aug. 6</sub>, Aug. 24, Sept. 6, Sept. 6, Sept. 1697; Postman, Aug. 31.

Old St. Martin's Church, London.
From a design by Thomas H. Shepherd.







It was not one of the days on which the newspapers ordinarily appeared: but extraordinary numbers, with headings in large capitals, were, for the first time, cried about the streets. The price of bank-stock rose fast from eighty-four to ninety-seven. In a few hours triumphal arches began to rise in some places. Huge bonfires were blazing in others. The Dutch ambassador informed the States-general that he should try to show his joy by a bonfire worthy of the commonwealth which he represented; and he kept his word; for no such pyre had ever been seen in London. A hundred and forty barrels of pitch roared and blazed before his house in Saint James's Square, and sent up a flame which made Pall Mall and Piccadilly as bright as at noonday.<sup>1</sup>

Among the Jacobites the dismay was great. Some of those who had betted deep on the constancy of Lewis took flight. One unfortunate zealot of Dismay of the divine right drowned himself. But soon the party again took heart. The treaty had been signed: but it surely would never be ratified. a short time the ratification came: the peace was solemnly proclaimed by the heralds; and the most obstinate nonjurors began to despair. Some divines, who had during eight years continued true to James, now swore allegiance to William. They were probably men who held, with Sherlock, that a settled government, though illegitimate in its origin, is entitled to the obedience of Christians, but who had thought that the government of William could not properly be said

<sup>1</sup> Van Cleverskirke to the States-general, Sept.  $\frac{14}{24}$ , 1697; L'Hermitage, Sept.  $\frac{14}{24}$ ; Postcript to the *Postman*, of the same date; *Postman* and *Postboy* of Sept.  $\frac{18}{26}$ , *Postman* of Sept.  $\frac{18}{28}$ .

to be settled while the greatest power in Europe not only refused to recognize him, but strenuously supported his competitor.1 The fiercer and more determined adherents of the banished family were furious against Lewis. He had deceived, he had betrayed his suppliants. It was idle to talk about the misery of his people. It was idle to say that he had drained every source of revenue dry, and that, in all the provinces of his kingdom, the peasantry were clothed in rags, and were unable to eat their fill even of the coarsest and blackest bread. His first duty was that which he owed to the royal family of England. The Jacobites talked against him, and wrote against him, as absurdly, and almost as scurrilously, as they had long talked and written against the government of their own country. One of the libels on him was so indecent that the Lords-justices ordered the author to be arrested and held to bail.2

But the rage and mortification were confined to a very small minority. Never, since the year of the Restoration, had there been such signs of public gladness. In every part of the kingdom where the peace was proclaimed, the general sentiment was manifested by banquets, pageants, loyal healths, salutes, beating of drums, blowing of trumpets, breaking up of hogsheads. At some places, the whole population, of its own accord, re-

<sup>&</sup>lt;sup>1</sup> L'Hermitage, Sept. <sup>17</sup>/<sub>27</sub>, <sup>Sept. 24</sup>/<sub>Oct. 4</sub>, 1697, Oct. <sup>19</sup>/<sub>29</sub>; *Postman*, Nov. 20.

<sup>&</sup>lt;sup>2</sup> L'Hermitage, Sept. 21. Nov. 2/12, 1697; Paris Gazette, Nov. 20/30; Postboy, Nov. 2. See a pasquinade by Tom Brown, entitled A Satyr upon the French King, written after the Peace was concluded at Reswick, anno 1697, by a Non-Swearing Parson,

paired to the churches to give thanks. At others processions of girls, clad all in white, and crowned with laurels, carried banners inscribed with "God bless King William." At every county town a long cavalcade of the principal gentlemen, from a circle of many miles, escorted the mayor to the market-cross. Nor was one holiday enough for the expression of so much joy. On the fourth of November, the anniversary of the King's birth, and on the fifth, the anniversary of his landing at Torbay, the bell-ringing, the shouting, and the illuminations were renewed both in London and all over the country.1 On the day on which he returned to his capital no work was done, no shop was opened, in the two thousand streets of that immense mart. For that day the chief avenues had, mile after mile, been covered with gravel: all the Companies had provided new banners; all the magistrates new robes. Twelve thousand pounds had been expended in preparing fireworks. Great multitudes of people from the

and said to be drop'd out of his Pocket at Sam's Coffee-house. I quote a few of the most decent couplets.

"Lord! with what monstrous lies and senseless shams Have we been cullied all along at Sam's! Who could have e'er believed, unless in spite, Lewis le Grand would turn rank Williamite? Thou that hast look'd so fierce and talk'd so big, In thine old age to dwindle to a Whig! Of Kings distress'd thou art a fine securer. Thou mak'st me swear, that am a known nonjuror. Were Job alive, and banter'd by such shufflers, He'd outrail Oates, and curse both thee and Boufflers. For thee I've lost, if I can rightly scan 'em, Two livings, worth full eightscore pounds per annum, Bonæ et legalis Angliæ Monetæ.

But now I'm clearly routed by the treaty."

<sup>&</sup>lt;sup>1</sup> London Gazettes; Postboy of Nov. 18, 1697; L'Hermitage, Nov. <sup>5</sup>/<sub>15</sub>.

neighboring shires had come up to see the show. had the City been in a more loyal or more joyous The evil days were past. The guinea had fallen to twenty-one shillings and sixpence. bank-note had risen to par. The new crowns and halfcrowns, broad, heavy, and sharply milled, were ringing on all the counters. After some days of impatient expectation, it was known, on the fourteenth of November, that His Majesty had landed at Margate. Late on the fifteenth he reached Greenwich, and The King's rested in the stately building which, under entry into London. his auspices, was turning from a palace into a On the next morning, a bright and soft mornhospital. ing, eighty coaches and six, filled with nobles, prelates, privy councillors, and judges, came to swell his train. In Southwark he was met by the Lord Mayor and the Aldermen in all the pomp of office. The way through the Borough to the bridge was lined by the Surrey militia; the way from the bridge to Walbrook by three regiments of the militia of the City. All along Cheapside, on the right hand and on the left, the livery were marshalled under the standards of their trades. At the east end of Saint Paul's church-yard stood the boys of the school of Edward the Sixth, wearing, as they still wear, the garb of the sixteenth century. Round the Cathedral, down Ludgate Hill and along Fleet Street, were drawn up three more regiments of Londoners. From Temple Bar to Whitehall gate the trainbands of Middlesex and the Foot Guards were under arms. windows along the whole route were gay with tapestry. ribbons, and flags. But the finest part of the show was the innumerable crowd of spectators, all in their Sunday clothing, and such clothing as only the upper

classes of other countries could afford to wear. never," William wrote that evening to Heinsius, "I never saw such a multitude of well-dressed people." Nor was the King less struck by the indications of joy and affection with which he was greeted from the beginning to the end of his triumph. His coach, from the moment when he entered it at Greenwich till he alighted from it in the court of Whitehall, was accompanied by one long huzza. Scarcely had he reached his palace when addresses of congratulation, from all the great corporations of his kingdom, were presented to him. It was remarked that the very foremost among those corporations was the University of Oxford. eloquent composition in which that learned body extolled the wisdom, the courage, and the virtue of His Majesty, was read with cruel vexation by the nonjurors, and with exultation by the Whigs.1

The rejoicings were not yet over. At a council which was held a few hours after the King's public entry, the second of December was appointed The Thanksto be the day of thanksgiving for the peace. giving Day. The Chapter of Saint Paul's resolved that on that day their new Cathedral, which had been long slowly rising on the ruins of a succession of pagan and Christian temples, should be opened for public worship. William announced his intention of being one of the But it was represented to him that, if congregation. he persisted in that intention, three hundred thousand people would assemble to see him pass, and all the parish churches of London would be left empty.

<sup>&</sup>lt;sup>1</sup> London Gazette, Nov. 18, 22, 1697; Van Cleverskirke, Nov.  $\frac{16}{26}$ ,  $\frac{1}{26}$ ; L'Hermitage, Nov.  $\frac{16}{26}$ ; Postboy and Postman, Nov. 18; William to Heinsius, Nov.  $\frac{16}{26}$ .

therefore attended the service in his own chapel at Whitehall, and heard Burnet preach a sermon, somewhat too eulogistic for the gravity of the pulpit.1 At Saint Paul's the magistrates of the City appeared in all their state. Compton was, for the first time, seated on a throne rich with the sculpture of Gibbons. the prayers were over, the Bishop exhorted the numerous and splendid assembly. His discourse has not been preserved: but its purport may be easily guessed; for he took for his text that noble song: "I was glad when they said unto me, Let us go into the house of the Lord." He doubtless reminded his hearers that, in addition to the debt which was common to them with all Englishmen, they owed, as Londoners, a peculiar debt of gratitude to the divine goodness, which had permitted them to efface the last trace of the ravages of the great fire, and to assemble once more for prayer and praise, after so many years, on that spot consecrated by the devotions of thirty generations. Throughout London, and in every part of the realm, even to the remotest parishes of Cumberland and Cornwall, the churches were filled on the morning of that day; and the evening was an evening of festivity.2

There was, indeed, reason for joy and thankfulness. England had passed through severe trials, and had come forth renewed in health and vigor. Ten years before, it had seemed that both her liberty and her independence were no more. Her liberty she had vindicated by a just and necessary revolution. Her inde-

<sup>&</sup>lt;sup>1</sup> Evelyn's *Diary*, Dec. 2, 1697. The sermon is extant; and I must acknowledge that it deserve Evelyn's censure.

<sup>&</sup>lt;sup>2</sup> London Gazette, Dec. 6, 1697; Postman, Dec. 4; Van Cleverskirke, Dec.  $\frac{2}{12}$ ; L'Hermitage, Nov.  $\frac{16}{26}$ .

St. Paul's Cathedral—from the Thames.

From a design by Thomas H. Shepherd.







pendence she had reconquered by a not less just and necessary war. She had successfully defended the order of things established by her Bill of Rights against the mighty monarchy of France, against the aboriginal population of Ireland, against the avowed hostility of the nonjurors, against the more dangerous hostility of traitors who were ready to take any oath, and whom no oath could bind. Her open enemies had been victorious on many fields of battle. Her secret enemies had commanded her fleets and armies, had been in charge of her arsenals, had ministered at her altars, had taught at her Universities, had swarmed in her public offices, had sat in her Parliament, had bowed and fawned in the bedchamber of her King. than once it had seemed impossible that anything could avert a restoration which would inevitably have been followed, first by proscriptions, by confiscations, by the violation of fundamental laws, and by the persecution of the established religion, and then by a third rising up of the nation against that House which two depositions and two banishments had only made more obstinate in evil. To the dangers of war and the dangers of treason had recently been added the dangers of a terrible financial and commercial crisis. But all those dangers were over. There was peace abroad and at home. The kingdom, after many years of ignominious vassalage, had resumed its ancient place in the first rank of European powers. Many signs justified the hope that the Revolution of 1688 would be our last The ancient constitution was adapting Revolution. itself, by a natural, a gradual, a peaceful development, to the wants of a modern society. Already freedom of conscience, and freedom of discussion existed to an extent unknown in any preceding age. The currency had been restored. Public credit had been re-established. Trade had revived. The Exchequer was overflowing. There was a sense of relief everywhere, from the Royal Exchange to the most secluded hamlets among the mountains of Wales and the fens of Lincolnshire. The ploughmen, the shepherds, the miners of the Northumbrian coal-pits, the artisans who toiled at the looms of Norwich and the anvils of Birmingham, felt the change, without understanding it; and the cheerful bustle in every seaport and every market-town indicated, not obscurely, the commencement of a happier age.



I HAVE thought it right to publish that portion of the continuation of the "History of England" which was found after the death of Lord Macaulay fairly transcribed and revised by himself. It is given to the world precisely as it was left: no connecting link has been added; no reference verified; no authority sought for or examined. It would indeed have been possible, with the help I might have obtained from his friends, to have supplied much that is wanting; but I preferred, and I believe the public will prefer, that the last thoughts of the great mind passed away from among us should be preserved sacred from any touch but his Besides the revised manuscript, a few pages containing the first rough sketch of the last two months of William's reign are all that is left. From this I have with some difficulty deciphered the account of the death of William. No attempt has been made to join it on to the preceding part, or to supply the corrections which would have been given by the improving hand of the author. But, imperfect as it must be, I believe it will be received with pleasure and interest as a fit conclusion to the life of his great hero.

I will only add my grateful thanks for the kind advice and assistance given me by his most dear and valued friends, Dean Milman and Mr. Ellis.

H. M. T.





## CHAPTER XXIII

WILLIAM THE THIRD (Continued)

THE rejoicings by which London, on the second of December, 1697, celebrated the return of peace and prosperity, continued till long after midnight. On the following morning the Parliament met; and one of the most laborious sessions of that age commenced.

Among the questions which it was necessary that the Houses should speedily decide, one stood forth preeminent in interest and importance. Even Standing in the first transports of joy with which the armies. bearer of the treaty of Ryswick had been welcomed to England, men had eagerly and anxiously asked one another what was to be done with that army which had been famed in Ireland and Belgium, which had learned, in many hard campaigns, to obey and to conquer, and which now consisted of eighty-seven thousand excellent soldiers. Was any part of this great force to be retained in the service of the State? And, if any part, what part? The last two kings had, without the consent of the legislature, maintained military establishments in time of peace. But that they had done this in violation of the fundamental

laws of England was acknowledged by all jurists and had been expressly affirmed in the Bill of Rights. It was therefore impossible for William, now that the country was threatened by no foreign and no domestic enemy, to keep up even a single battalion without the sanction of the Estates of the Realm; and it might well be doubted whether such a sanction would be given.

It is not easy for us to see this question in the light in which it appeared to our ancestors.

No man of sense has, in our days, or in the days of our fathers, seriously maintained that our island could be safe without an army. And, even if our island were perfectly secure from attack, an army would still be indispensably necessary to us. The growth of the empire has left us no choice. The regions which we have colonized or conquered since the accession of the House of Hanover contain a population exceeding twenty-fold that which the House of Stuart governed. There are now more English soldiers on the other side of the Tropic of Cancer in time of peace than Cromwell had under his command in time of war. All the troops of Charles II. would not have been sufficient to garrison the posts which we now occupy in the Mediterranean Sea alone. The regiments which defend the remote dependencies of the crown cannot be duly recruited and relieved, unless a force far larger than that which James collected in the camp at Hounslow for the purpose of overawing his capital be constantly kept up within the kingdom. The old national antipathy to permanent military establishments, an antipathy which was once reasonable and salutary, but which lasted some time after it had become unreasonable and noxious, has gradually vielded to the irresistible force of circumstances. We have made the discovery, that an army may be so constituted as to be in the highest degree efficient against an enemy, and yet obsequious to the civil magistrate. We have long since ceased to apprehend danger to law and to freedom from the license of troops, and from the ambition of victorious generals. An alarmist who should now talk such language as was common five generations ago, who should call for the entire disbanding of the land-force of the realm, and who should gravely predict that the warriors of Inkerman and Delhi would depose the Queen, dissolve the Parliament, and plunder the Bank, would be regarded as fit only for a cell in Saint Luke's. But before the Revolution our ancestors had known a standing army only as an instrument of lawless power. Judging by their own experience, they thought it impossible that such an army should exist without danger to the rights both of the crown and of the people. One class of politicians was never weary of repeating that an Apostolic Church, a loyal gentry, an ancient nobility, a sainted King, had been foully outraged by the Joyces and the Prides: another class recounted the atrocities committed by the Lambs of Kirke, and by the Beelzebubs and Lucifers of Dundee; and both classes, agreeing in scarcely anything else, were disposed to agree in aversion to the redcoats.

While such was the feeling of the nation, the King was, both as a statesman and as a general, most unwilling to see that superb body of troops which he had formed with infinite difficulty broken up and dispersed. But, as to this matter, he could not absolutely rely on the support of his ministers; nor could his ministers absolutely rely on the support of that parliamentary

majority whose attachment had enabled them to confront enemies abroad and to crush traitors at home, to restore a debased currency, and to fix public credit on deep and solid foundations.

The difficulties of the King's situation are to be, in part at least, attributed to an error which he had committed in the preceding spring. The Gazette which announced that Sunderland had been appointed Chamberlain of the Royal Household, sworn of the Privy Council, and named one of the Lordsjustices who were to administer the government during the summer, had caused great uneasiness among plain men who remembered all the windings and doublings of his long career. In truth, his countrymen were unjust to him. For they thought him not only an unprincipled and faithless politician, which he was, but a deadly enemy of the liberties of the nation, which he What he wanted was simply to be safe, rich, and great. To these objects he had been constant through all the vicissitudes of his life. For these objects he had passed from Church to Church and from faction to faction, had joined the most turbulent of oppositions without any zeal for freedom, and had served the most arbitrary of monarchs without any zeal for monarchy; had voted for the Exclusion Bill without being a Protestant, and had adored the Host without being a Papist; had sold his country at once to both the great parties which divided the Continent, had taken money from France, and had sent intelligence to As far, however, as he could be said to have any opinions, his opinions were Whiggish. Since his return from exile, his influence had been generally exerted in favor of the Whig party. It was by his counsel

that the Great Seal had been intrusted to Somers, that Nottingham had been sacrificed to Russell, and that Montague had been preferred to Fox. It was by his dexterous management that the Princess Anne had been detached from the opposition, and that Godolphin had been removed from the head of the Board of Treasury. The party which Sunderland had done so much to serve now held a new pledge for his fidelity. His only son, Charles Lord Spencer, was just Lord entering on public life. The precocious Spencer. maturity of the young man's intellectual and moral character had excited hopes which were not destined to be realized. His knowledge of ancient literature, and his skill in imitating the styles of the masters of Roman eloquence, were applauded by veteran scholars. The sedateness of his deportment and the apparent regularity of his life delighted austere moralists. He was known, indeed, to have one expensive taste; but it was a taste of the most respectable kind. He loved books, and was bent on forming the most magnificent private library in England. While other heirs of noble houses were inspecting patterns of steinkirks and sword-knots, dangling after actresses, or betting on fighting-cocks, he was in pursuit of the Mentz editions of Tully's Offices, of the Parmesan Statius, and of the inestimable Virgil of Zarottus.1

<sup>&</sup>lt;sup>1</sup> Evelyn saw the Mentz edition of the Offices among Lord Spencer's books in April, 1699. Markland, in his preface to the Sylvæ of Statius, acknowledges his obligations to the very rare Parmesan edition in Lord Spencer's collection. As to the Virgil of Zarottus, which his Lordship bought for 46l., see the extracts from Wanley's Diary, in Nichols's Literary Anecdotes, i., 90.

was natural that high expectations should be formed of the virtue and wisdom of a youth whose very luxury and prodigality had a grave and erudite air, and that even discerning men should be unable to detect the vices which were hidden under that show of premature sobriety.

Spencer was a Whig, unhappily for the Whig party, which, before the unhonored and unlamented close of his life, was more than once brought to the verge of ruin by his violent temper and his crooked politics. His Whiggism differed widely from that of his father. It was not a languid, speculative preference of one theory of government to another, but a fierce and dominant passion. Unfortunately, though an ardent, it was at the same time a corrupt and degenerate Whiggism; a Whiggism so narrow and oligarchical as to be little, if at all, preferable to the worst forms of Torvism. The young lord's imagination had been fascinated by those swelling sentiments of liberty which abound in the Latin poets and orators; and he, like those poets and orators, meant by liberty something very different from the only liberty which is of importance to the happiness of mankind. Like them, he could see no danger to liberty except from kings. commonwealth, oppressed and pillaged by such men as Opimius and Verres, was free, because it had no king. A member of the Grand Council of Venice, who passed his whole life under tutelage and in fear, who could not travel where he chose, or visit whom he chose, or invest his property as he chose, whose path was beset with spies, who saw at the corners of the streets the mouth of bronze gaping for anonymous accusations against him, and whom the Inquisitors of

State could, at any moment, and for any or no reason, arrest, torture, fling into the Grand Canal, was free, because he had no king. To curtail, for the benefit of a small privileged class, prerogatives which the Sovereign possesses and ought to possess for the benefit of the whole nation, was the object on which Spencer's heart was set. During many years he was restrained by older and wiser men; and it was not till those whom he had early been accustomed to respect had passed away, and till he was himself at the head of affairs, that he openly attempted to obtain for the hereditary nobility a precarious and invidious ascendency in the State, at the expense both of the Commons and of the Throne.

In 1695, Spencer had taken his seat in the House of Commons as member for Tiverton, and had, during two sessions, conducted himself as a steady and zealous Whig. The party to which he had attached himself might perhaps have reasonably considered him as a hostage sufficient to insure the good faith of his father; for the Earl was approaching that time of life at which even the most ambitious and rapacious men generally toil rather for their children than for themselves. But the distrust which Sunderland inspired was such as no guarantee could quiet. Many fancied that he was, with what object they never took the trouble to inquire, employing the same arts which had ruined James for the purpose of ruining William. Each prince had had his weak side. One was too much a Papist, and the other too much a soldier, for such a nation as this. The same intriguing sycophant who had encouraged the Papist in one fatal error was now encouraging the soldier in another. It might well be apprehended that, under the influence of this evil counsellor, the nephew might alienate as many hearts by trying to make England a military country as the uncle had alienated by trying to make her a Roman Catholic country.

The parliamentary conflict on the great question of a standing army was preceded by a literary conflict. In

the autumn of 1697 began a controversy of Controversy no common interest and importance. The touching press was now free. An exciting and mostanding armies. mentous political question could be fairly Those who held uncourtly opinions could discussed. express those opinions without resorting to illegal expedients and employing the agency of desperate men. The consequence was that the dispute was carried on, though with sufficient keenness, yet, on the whole, with a decency which would have been thought extraordinary in the days of the censorship.

On this occasion the Tories, though they felt strongly, wrote but little. The paper war was almost entirely carried on between two sections of the Whig party. The combatants on both sides were generally anonymous. But it was well known that one of the foremost champions of the malcontent Whigs was John Trenchard, son of the late Secretary of State. Pre-eminent among the ministerial Whigs was one in whom admirable vigor and quickness of intellect were united to a not less admirable moderation and urbanity: one who looked on the history of past ages with the eye of a practical statesman, and on the events which were passing before him with the eye of a philosophical historian. It was not necessary for him to name himself. He could be none but Somers.

The pamphleteers who recommended the immediate

and entire disbanding of the army had an easy task. If they were embarrassed, it was only by the abundance of the matter from which they had to make their selec-On their side were clap-traps and historical commonplaces without number, the authority of a crowd of illustrious names, all the prejudices, all the traditions of both the parties in the state. writers laid it down as a fundamental principle of political science that a standing army and a free constitution could not exist together. What, they asked, had destroyed the noble commonwealths of Greece? What had enslaved the mighty Roman people? What had turned the Italian republics of the Middle Ages into lordships and duchies? How was it that so many of the kingdoms of modern Europe had been transformed from limited into absolute monarchies? The States-general of France, the Cortes of Castile, the Grand Justiciary of Aragon, what had been fatal to History was ransacked for instances of adventurers who, by the help of mercenary troops, had subjugated free nations or deposed legitimate princes; and such instances were easily found. Much was said about Pisistratus, Timophanes, Dionysius, Agathocles. Marius and Sylla, Julius Cæsar and Augustus Cæsar, Carthage besieged by her own mercenaries, Rome put up to auction by her own Prætorian cohorts, Sultan Osman butchered by his own Janizaries, Lewis Sforza sold into captivity by his own Switzers. favorite instance was taken from the recent history of our own land. Thousands still living had seen the great usurper, who, strong in the power of the sword, had triumphed over both royalty and freedom. Tories were reminded that his soldiers had guarded the

scaffold before the Banqueting-house. The Whigs were reminded that those same soldiers had taken the mace from the table of the House of Commons. From such evils, it was said, no country could be secure which was cursed with a standing army. And what were the advantages which could be set off against such evils? Invasion was the bugbear with which the court tried to frighten the nation. But we were not children to be scared by nursery tales. We were at peace; and, even in time of war, an enemy who should attempt to invade us would probably be intercepted by our fleet, and would assuredly, if he reached our shores, be repelled by our militia. Some people, indeed, talked as if a militia could achieve nothing great. But that base doctrine was refuted by all ancient and all modern history. What was the Lacedæmonian phalanx in the best days of Lacedæmon? What was the Roman legion in the best days of Rome? What were the armies which conquered at Cressy, at Poitiers, at Agincourt, at Halidon, or at Flodden? What was that mighty array which Elizabeth reviewed at Tilbury? In the fourteenth, fifteenth, and sixteenth centuries Englishmen who did not live by the trade of war had made war with success and glory. Were the English of the seventeenth century so degenerate that they could not be trusted to play the men for their own homesteads and parish churches?

For such reasons as these the disbanding of the torces was strongly recommended. Parliament, it was said, might perhaps, from respect and tenderness for the person of His Majesty, permit him to have guards enough to escort his coach and to pace the rounds before his palace. But this was the very utmost that it

would be right to concede. The defence of the realm ought to be confided to the sailors and the militia. Even the Tower ought to have no garrison except the trainbands of the Tower Hamlets.

It must be evident to every intelligent and dispassionate man that these declaimers contradicted them-If an army composed of regular troops really was far more efficient than an army composed of husbandmen taken from the plough and burghers taken from the counter, how could the country be safe with no defenders but husbandmen and burghers, when a great prince, who was our nearest neighbor, who had a few months before been our enemy, and who might in a few months be our enemy again, kept up not less than a hundred and fifty thousand regular troops? on the other hand, the spirit of the English people was such that they would, with little or no training, encounter and defeat the most formidable array of veterans from the Continent, was it not absurd to apprehend that such a people could be reduced to slavery by a few regiments of their own countrymen? ancestors were generally so much blinded by prejudice that this inconsistency passed unnoticed. They were secure where they ought to have been wary, and timorous where they might well have been secure. They were not shocked by hearing the same man maintain, in the same breath, that, if twenty thousand professional soldiers were kept up, the liberty and property of millions of Englishmen would be at the mercy of the crown, and yet that those millions of Englishmen, fighting for liberty and property, would speedily annihilate an invading army composed of fifty or sixty thousand of the conquerors of Steinkirk and Landen.

Whoever denied the former proposition was called a tool of the court. Whoever denied the latter was accused of insulting and slandering the nation.

Somers was too wise to oppose himself directly to the strong current of popular feeling. With rare dexterity he took the tone, not of an advocate, but of a judge. The danger which seemed so terrible to many honest friends of liberty he did not venture to pronounce altogether visionary. But he reminded his countrymen that a choice between dangers was sometimes all that was left to the wisest of mankind. No law-giver had ever been able to devise a perfect and immortal form of government. Perils lay thick on the right and on the left; and to keep far from one evil was to draw near to another. That which, considered merely with reference to the internal polity of England, might be, to a certain extent, objectionable, might be absolutely essential to her rank among European Powers, and even to her independence. All that a statesman could do in such a case was to weigh inconveniences against each other, and carefully to observe which way the scale leaned. The evil of having regular soldiers, and the evil of not having them, Somers set forth and compared in a little treatise, which was once widely renowned as the Balancing Letter, and which was admitted, even by the malcontents, to be an able and plausible compo-He well knew that mere names exercise a mighty influence on the public mind; that the most perfect tribunal which a legislator could construct would be unpopular if it were called the Star-chamber: that the most judicious tax which a financier could devise would excite murmurs if it were called the Shipmoney; and that the words Standing Army then had

to English ears a sound as unpleasing as either Shipmoney or Star-chamber. He declared, therefore, that he abhorred the thought of a standing army. What he recommended was, not a standing, but a temporary army; an army of which Parliament would annually fix the number; an army for which Parliament would annually frame a military code; an army which would cease to exist as soon as either the Lords or the Commons should think that its services were not needed. From such an army surely the danger to public liberty could not by wise men be thought serious. On the other hand, the danger to which the kingdom would be exposed if all the troops were disbanded was such as might well disturb the firmest mind. Suppose a war with the greatest Power in Christendom to break out suddenly, and to find us without one battalion of regular infantry, without one squadron of regular cavalry: what disasters might we not reasonably apprehend? It was idle to say that a descent could not take place without ample notice, and that we should have time to raise and discipline a great force. An absolute prince, whose orders, given in profound secrecy, were promptly obeyed at once by his captains on the Rhine and on the Scheld, and by his admirals in the Bay of Biscay and in the Mediterranean, might be ready to strike a blow long before we were prepared to We might be appalled by learning that ships from widely remote parts, and troops from widely remote garrisons, had assembled at a single point within sight of our coast. To trust to our fleet was to trust to the winds and the waves. The breeze which was favorable to the invader might prevent our men-of-war from standing out to sea. Only nine years ago this

had actually happened. The Protestant wind, before which the Dutch armament had run full sail down the Channel, had driven King James's navy back into the Thames. It must then be acknowledged to be not improbable that the enemy might land. And, if he landed, what would he find? An open country; a rich country; provisions everywhere; not a river but which could be forded; no natural fastnesses such as protect the fertile plains of Italy; no artificial fastnesses such as, at every step, impede the progress of a conqueror in the Netherlands. Everything must then be staked on the steadiness of the militia; and it was a pernicious flattery to represent the militia as equal to a conflict in the field with veterans whose whole life had been a preparation for the day of battle. The instances which it was the fashion to cite of the great achievements of soldiers taken from the threshing-floor and the shopboard were fit only for a school-boy's theme. who had studied ancient literature like a man-a rare thing in his time—said that those instances refuted the doctrine which they were meant to prove. He disposed of much idle declamation about the Lacedæmonians by saying, most concisely, correctly, and happily, that the Lacedæmonian commonwealth really was a standing army which threatened all the rest of Greece. the Spartan had no calling except war. Of arts. sciences, and letters he was ignorant. The labor of the spade and of the loom, and the petty gains of trade, he contemptuously abandoned to men of a lower caste. His whole existence from childhood to old age was one long military training. Meanwhile the Athenian, the Corinthian, the Argive, the Theban, gave his chief attention to his olive-yard or his vineyard, his warehouse or his workshop, and took up his shield and spear only for short terms and at long intervals. The difference, therefore, between a Lacedæmonian phalanx and any other phalanx was long as great as the difference between a regiment of the French household troops and a regiment of the London trainbands. Lacedæmon consequently continued to be dominant in Greece till other states began to employ regular troops. Then her supremacy was at an end. She was great while she was a standing army among militias. She fell when she had to contend with other standing armies. The lesson which is really to be learned from her ascendency and from her decline is this, that the occasional soldier is no match for the professional soldier.

<sup>1</sup> The more minutely we examine the history of the decline and fall of Lacedæmon, the more reason we shall find to admire the sagacity of Somers. The first great humiliation which befell the Lacedæmonians was the affair of Sphacteria. It is remarkable that on this occasion they were vanquished by men who made a trade of war. The force which Cleon carried out with him from Athens to the Bay of Pylos, and to which the event of the conflict is to be chiefly ascribed, consisted entirely of mercenaries-archers from Scythia and light-infantry from Thrace. The victory gained by the Lacedæmonians over a great confederate army at Tega retrieved that military reputation which the disaster of Sphacteria had impaired. Yet even at Tegea it was signally proved that the Lacedæmonians, though far superior to occasional soldiers, were not equal to professional soldiers. On every point but one the allies were put to rout; but on one point the Lacedæmonians gave way; and that was the point where they were opposed to a brigade of a thousand Argives, picked men, whom the state to which they belonged had during many years trained to war at the public charge, and who were, in fact, a standing army. After the battle of Tegea,

The same lesson Somers drew from the history of Rome; and every scholar who really understands that history will admit that he was in the right. The finest militia that ever existed was probably that of Italy in the third century before Christ. It might have been thought that seven or eight hundred thousand fightingmen, who assuredly wanted neither natural courage nor public spirit, would have been able to protect their own hearths and altars against an invader. An invader came, bringing with him an army small and exhausted by a march over the snows of the Alps, but familiar

many years elapsed before the Lacedæmonians sustained a defeat. At length a calamity befell them which astonished all their neighbors. A division of the army of Agesilaus was cut off and destroyed almost to a man; and this exploit, which seemed almost portentous to the Greeks of that age, was achieved by Iphicrates, at the head of a body of mercenary light-infantry. But it was from the day of Leuctra that the fall of Sparta became rapid and violent. Some time before that day the Thebans had resolved to follow the example which had been set many years before by the Argives. Some hundreds of athletic youths, carefully selected, were set apart, under the names of the City Band and the Sacred Band, to form a standing army. Their business was war. They encamped in the citadel; they were supported at the expense of the community; and they became, under assiduous training, the first soldiers in Greece. They were constantly victorious till they were opposed to Philip's admirably disciplined phalanx at Chæronea; and even at Chæronea they were not defeated, but slain in their ranks, fighting to the last. It was this band, directed by the skill of great captains, which gave the decisive blow to the Lacedæmonian power. It is to be observed that there was no degeneracy among the Lacedæmoniaus. Even down to the time of Pyrrhus they seem to have been, in all military qualities, equal to their ancestors who conquered at Platæa. But their ancestors at Platæa had not such enemies to encounter.

with battles and sieges. At the head of this army he traversed the peninsula to and fro, gained a succession of victories against immense numerical odds, slaughtered the hardy youth of Latium like sheep, by tens of thousands, encamped under the walls of Rome, continued during sixteen years to maintain himself in a hostile country, and was never dislodged till he had by a cruel discipline gradually taught his adversaries how to resist him.

It was idle to repeat the names of great battles won in the Middle Ages, by men who did not make war their chief calling; those battles proved only that one militia might beat another, and not that a militia could beat a regular army. As idle was it to declaim about the camp at Tilbury. We had, indeed, reason to be proud of the spirit which all classes of Englishmen, gentlemen and yeomen, peasants and burgesses, had so signally displayed in the great crisis of 1588. But we had also reason to be thankful that, with all their spirit, they were not brought face to face with the Spanish battalions. Somers related an anecdote, well worthy to be remembered, which had been preserved by tradition in the noble House of De Vere. One of the most illustrious men of that house, a captain who had acquired much experience and much fame in the Netherlands, had, in the crisis of peril, been summoned back to England by Elizabeth, and rode with her through the endless ranks of shouting pikemen. She asked him what he thought of the army. "It is," he said, "a brave army." There was something in his tone or manner which showed that he meant more than his words expressed. The Queen insisted on his speaking out. "Madam," he said, "Your Grace's

army is brave indeed. I have not in the world the name of a coward; and yet I am the greatest coward All these fine fellows are praying that the enemy may land, and that there may be a battle; and I, who know that enemy well, cannot think of such a battle without dismay." De Vere was doubtless in the The Duke of Parma, indeed, would not have subjected our country; but it is by no means improbable that, if he had effected a landing, the island would have been the theatre of a war greatly resembling that which Hannibal waged in Italy, and that the invaders would not have been driven out till many cities had been sacked, till many counties had been wasted, and till multitudes of our stout-hearted rustics and artisans had perished in the carnage of days not less terrible than those of Thrasymene and Cannæ.

While the pamphlets of Trenchard and Somers were in every hand, the Parliament met.

The words with which the King opened the session brought the great question to a speedy issue. "The circumstances," he said, "of affairs abroad are such, that I think myself obliged to tell you my opinion, that, for the present, England cannot be safe without a land-force; and I hope we shall not give those that mean us ill the opportunity of effecting that under the notion of a peace which they could not bring to pass by war."

The speech was well received; for that Parliament was thoroughly well affected to the Government. The The King's members had, like the rest of the community, been put into high good-humor by the return of peace and by the revival of trade. They were, indeed, still under the influence of

the feelings of the preceding day; and they had still in their ears the thanksgiving sermons and thanksgiving anthems: all the bonfires had hardly burned out; and the rows of lamps and candles had hardly been taken down. Many, therefore, who did not assent to all that the King had said, joined in a loud hum of approbation when he concluded. As soon as the Commons had retired to their own chamber, they resolved to present an address assuring His Majesty that they would stand by him in peace as firmly as they had stood by him in war. Seymour, who had, during the autumn, been going from shire to shire, for the purpose of inflaming the country gentlemen against the ministry, ventured to make some uncourtly remarks: but he gave so much offence that he was hissed down, and did not venture to demand a division.2

The friends of the Government were greatly elated by the proceedings of this day. During the following week hopes were entertained that the Par-Debate on a liament might be induced to vote a peace peace establishment. establishment of thirty thousand men. But these hopes were delusive. The hum with which William's speech had been received, and the hiss which had drowned the voice of Seymour, had been misunderstood. The Commons were, indeed, warmly attached to the King's person and government, and quick to resent any disrespectful mention of his name. But the members who were disposed to let him have even half as many troops as he thought necessary were a minority. On the tenth of December his speech was

<sup>&</sup>lt;sup>1</sup> L'Hermitage, Dec. <sup>3</sup>/<sub>13</sub>, <sup>7</sup>/<sub>17</sub>, 1697.

<sup>&</sup>lt;sup>2</sup> Commons' Journals, Dec. 3, 1697; L'Hermitage, Dec. <sup>7</sup>/<sub>17</sub>. vol. ix.—22.

considered in a Committee of the whole House; and Harley came forward as the chief of the opposition. He did not, like some hot-headed men, among both the Whigs and the Tories, contend that there ought to be no regular soldiers. But he maintained that it was unnecessary to keep up, after the peace of Ryswick, a larger force than had been kept up after the peace of Nimeguen. He moved, therefore, that the military establishment should be reduced to what it had been in the year 1680. The Ministers found that, on this occasion, neither their honest nor their dishonest supporters could be trusted. For, in the minds of the most respectable men, the prejudice against standing armies was of too long growth and too deep root to be at once removed; and those means by which the court might, at another time, have secured the help of venal politicians were, at that moment, of less avail than usual. The Triennial Act was beginning to produce its effects. A general election was at hand. Every member who had constituents was desirous to please them; and it was certain that no member would please his constituents by voting for a standing army: and the resolution moved by Harley was strongly supported by Howe, was carried, was reported to the House on the following day, and after a debate in which several orators made a great display of their knowledge of ancient and modern history, was confirmed by one hundred and eighty-five votes to one hundred and forty-eight.1

In this debate the fear and hatred with which many of the best friends of the Government regarded Sunderland were unequivocally manifested. "It is easy,"—

<sup>&</sup>lt;sup>1</sup> L'Hermitage, Dec.  $\frac{10}{20}$ , Dec.  $\frac{14}{24}$ , Journals.

such was the language of several members-"it is easy to guess by whom that unhappy sentence was inserted in the speech from the Throne. person well acquainted with the disastrous and disgraceful history of the last two reigns can doubt who the minister is who is now whispering evil counsel in the ear of a third master." The Chamberlain, thus fiercely attacked, was very feebly defended. There was, indeed, in the House of Commons a small knot of his creatures; and they were men not destitute of a certain kind of ability; but their moral character was as bad as his. One of them was the late Secretary of the Treasury, Guy, who had been turned out of his place for corruption. Another was the late Speaker, Trevor, who had, from the chair, put the question whether he was or was not a rogue, and had been forced to pronounce that the Ayes had it. third was Charles Duncombe, long the greatest goldsmith of Lombard Street, and now one of the greatest land-owners of the North Riding of Yorkshire. sessed of a private fortune equal to that of any duke. he had not thought it beneath him to accept the place of Cashier of the Excise, and had perfectly understood how to make that place lucrative: but he had recently been ejected from office by Montague, who thought, with good reason, that he was not a man to be trusted. Such advocates as Trevor, Guy, and Duncombe could do little for Sunderland in debate. The statesmen of the Junto would do nothing for him. They had undoubtedly owed much to him. His influence, cooperating with their own great abilities and with the force of circumstances, had induced the King to commit the direction of the internal administration of the

realm to a Whig Cabinet. But the distrust which the old traitor and apostate inspired was not to be overcome. The ministers could not be sure that he was not, while smiling on them, whispering in confidential tones to them, pouring out, as it might seem, all his heart to them, really calumniating them in the closet or suggesting to the opposition some ingenious mode of attacking them. They had very recently been thwarted by him. They were bent on making Wharton a Secretary of State, and had, therefore, looked forward with impatience to the retirement of Trumball, who was, indeed, hardly equal to the duties of his great place. To their surprise and mortification, they learned, on the eve of the meeting of Parliament, that Trumball had suddenly resigned, and Vernon, the Under Secretary, had been summoned to Kensington, and had returned thence with the seals. Vernon was a zealous Whig, and not personally unacceptable to the chiefs of his party. But the Lord Chancellor, the First Lord of the Treasury, and the First Lord of the Admiralty might not unnaturally think it strange that a post of the highest importance should have been filled up in opposition to their known wishes, and with a haste and a secrecy which plainly showed that the King did not wish to be annoyed by their remonstrances. The Lord Chamberlain pretended that he had done all in his power to serve Wharton. But the Whig chiefs were not men to be duped by the professions of so notorious a liar. tague bitterly described him as a fire-ship, dangerous at best, but, on the whole, most dangerous as a consort, and least dangerous when showing hostile colors. Smith, who was the most efficient of Montague's lieur

tenants, both in the Treasury and in the Parliament, cordially sympathized with his leader. Sunderland was therefore left undefended. His enemies became bolder and more vehement every day. Sir Thomas Dyke, member for Grinstead, and Lord Norris, son of the Earl of Abingdon, talked of moving an address requesting the King to banish forever from the court and the council that evil adviser who had misled His Majesty's royal uncles, had betrayed the liberties of the people, and had abjured the Protestant religion.

Sunderland had been uneasy from the first moment at which his name had been mentioned in the House of Commons. He was now in an agony of terror. The whole enigma of his life, an enigma of which many unsatisfactory and some absurd explanations had been propounded, is at once solved if we consider him as a man insatiably greedy of wealth and power, and yet nervously apprehensive of danger. He rushed with ravenous eagerness at every bait which was offered to his cupidity. But any ominous shadow, any threatening murmur, sufficed to stop him in his full career, and to make him change his course or bury himself in a hiding-place. He ought to have thought himself fortunate indeed, when, after all the crimes which he had committed, he found himself again enjoying his picturegallery and his woods at Althorpe, sitting in the House of Lords, admitted to the royal closet, pensioned from the Privy Purse, consulted about the most important affairs of state. But his ambition and avarice would not suffer him to rest till he held a high and lucrative office, till he was a regent of the kingdom. The consequence was, as might have been expected, a violent clamor; and that clamor he had not the spirit to face.

His friends assured him that the threatened address would not be carried. Perhaps a hundred and sixty members might vote for it; but hardly more. "A hundred and sixty!" he cried: "no minister can stand against a hundred and sixty. I am sure that I will not try." It must be remembered that a hundred and sixty votes in a House of five hundred and thirteen members would correspond to more than two hundred votes in the present House of Commons; a very formidable minority on the unfavorable side of a question deeply affecting the personal character of a public man. William, unwilling to art with a servant whom he knew to be unprincipled, but whom he did not consider as more unprincipled than many other English politicians, and in whom he had found much of a very useful sort of knowledge, and of a very useful sort of ability, tried to induce the ministry to come to the rescue. It was particularly important to soothe Wharton, who had been exasperated by his recent disappointment, and probably exasperated the other members of the Junto. He was sent for to the palace. The King himself entreated him to be reconciled to the Lord Chamberlain, and to prevail on the Whig leaders in the Lower House to oppose any motion which Dyke or Norris might make. Wharton answered in a manner which made it clear that from him no help was to be expected. Sunderland's terrors now became insupportable. He had requested some of his friends to come to his house that he might consult them; they came at the appointed hour, but found that he had gone to Kensington, and had left word that he should soon be back. When he joined them. they observed that he had not the gold key which is

the badge of the Lord Chamberlain, and asked where it was. "At Kensington," answered Sunderland. They found that he had tendered his resignation, and that it had been, after a long struggle, accepted. They blamed his haste, and told him that, since he had summoned them to advise him on that day, he might at least have waited till the morrow. "To-morrow," he exclaimed, "would have ruined me. To-night has saved me."

Meanwhile, both the disciples of Somers and the disciples of Trenchard were grumbling at Harley's resolution. The disciples of Somers maintained The nation that, if it was right to have an army at all, averse to a standing it must be right to have an efficient army. The disciples of Trenchard complained that a great principle had been shamefully given up. On the vital issue, Standing Army or no Standing Army, the Commons had pronounced an erroneous, a fatal decision. Whether that army should consist of five regiments or of fifteen was hardly worth debating. The great dike which kept out arbitrary power had been broken. It was idle to say that the breach was narrow; for it would soon be widened by the flood which would rush in. The war of pamphlets raged more fiercely that ever. At the same time alarming symptoms began to appear among the men of the sword. They saw themselves every day described in print as the scum of society, as mortal enemies of the liberties of their country. Was it reasonable—such was the language of some scribblers—that an honest gentleman should pay a heavy land-tax, in order to support in idleness and luxury a set of fellows who requited him by seducing his dairy-maids and shooting

his partridges? Nor was it only in Grub Street tracts that such reflections were to be found. It was known all over the town that uncivil things had been said of the military profession in the House of Commons, and that Jack Howe, in particular, had, on this subject, given the rein to his wit and to his ill-nature. Some rough and daring veterans, marked with the scars of Steinkirk and singed with the smoke of Namur, threatened vengeance for these insults. The writers and speakers who had taken the greatest liberties went in constant fear of being accosted by fierce-looking captains, and required to make an immediate choice between fighting and being caned. One gentleman, who had made himself conspicuous by the severity of his language, went about with pistols in his pockets. Howe, whose courage was not proportionate to his malignity and petulance, was so much frightened that he retired into the country. The King, well aware that a single blow given, at that critical conjuncture, by a soldier to a member of Parliament might produce disastrous consequences, ordered the officers of the army to their quarters, and, by the vigorous exertion of his authority and influence, succeeded in preventing all outrage.1

<sup>1</sup> In the first act of Farquhar's *Trip to the Jubilee*, the passions which about this time agitated society are exhibited with much spirit. Alderman Smuggler sees Colonel Standard, and exclaims, "There's another plague of the nation, a redcoat and feather." "I'm disbanded," says the Colonel. "This very morning, in Hyde Park, my brave regiment, a thousand men that looked like lions yesterday, were scattered and looked as poor and simple as the herd of deer that grazed beside them." "Fal-al-deral!" cries the Alderman: "I'll have a bonfire this night, as high as the monument." "A bonfire!" answered

All this time the feeling in favor of a regular course seemed to be growing in the House of Commons. resignation of Sunderland had put many honest gentlemen in good-humor. The Whig leaders exerted themselves to rally their followers, held meetings at the "Rose," and represented strongly the dangers to which the country would be exposed, if defended only by a The opposition asserted that neither bribes nor promises were spared. The ministers at length flattered themselves that Harley's resolution might be On the eight of January they again tried rescinded. their strength, and were again defeated, though by a smaller majority than before. A hundred and sixtyfour members divided with them. A hundred and eighty-eight were for adhering to the vote of the eleventh of December. It was remarked that on this occasion the naval men, with Rooke at their head, voted against the Government.1

It was necessary to yield. All that remained was to put on the words of the resolution of the eleventh of December the most favorable sense that they could be made to bear. They did indeed admit of very different interpretations. The force which was actually in England in 1680 hardly amounted to five thousand men. But the garrison of Tangier and the regiments in the pay of the Batavian federation, which, as they were available for the defence of England against a foreign or domestic enemy, might be said to be in some sort part of the English army, amounted to at least five

the soldier; "thou dry, withered, ill-nature! had not those brave fellows' swords defended you, your house had been a bonfire ere this about your ears."

<sup>&</sup>lt;sup>1</sup> L'Hermitage, January <sup>11</sup>/<sub>21</sub>.

thousand more. The construction which the ministers put on the resolution of the eleventh of December was, that the army was to consist of ten thousand men; and in this construction the House acquiesced. It was not held to be necessary that the Parliament should, as in our time, fix the amount of the land-force. Commons thought that they sufficiently limited the number of soldiers by limiting the sum which was to be expended in maintaining soldiers. What that sum should be was a question which raised much debate. Harley was unwilling to give more than three hundred thousand pounds. Montague struggled for four hundred thousand. The general sense of the House was that Harley offered too little, and that Montague de-At last, on the fourteenth of manded too much. January, a vote was taken for three hundred and fifty thousand pounds. Four days later the House resolved to grant half-pay to the disbanded officers till they should be otherwise provided for. The half-pay was meant to be a retainer as well as a reward. The effect of this important vote, therefore, was that, whenever a new war should break out, the nation would be able to command the services of many gentlemen of great military experience. The ministry afterward succeeded in obtaining, much against the will of a portion of the opposition, a separate vote for three thousand marines.

A Mutiny Act, which had been passed in 1697, expired in the spring of 1698. As yet no such act had Mutiny Act. been passed except in time of war; and the temper of the Parliament and of the nation was such that the ministers did not venture to ask, in time of peace, for a renewal of powers unknown to the

constitution. For the present, therefore, the soldier was again, as in the times which preceded the Revolution, subject to exactly the same law which governed the citizen.

It was only in matters relating to the army that the government found the Commons unmanageable. Liberal provision was made for the navy. The Navy. The number of seamen was fixed at ten thousand—a great force, according to the notions of that age, for a time of peace. The funds assigned some years before for the support of the civil list had fallen short of the estimate. It was resolved that a new arrangement should be made, and that a certain income should be settled on the King. amount was fixed, by a unanimous vote, at seven hundred thousand pounds; and the Commons declared that, by making this ample provision for his comfort and dignity, they meant to express their sense of the great things which he had done for the country. It is probable, however, that so large a sum would not have been given without debates and divisions, had it not been understood that he meant to take on himself the charge of the Duke of Gloucester's establishment, and that he would in all probability have to pay fifty thousand pounds a year to Mary of Modena. The Tories were unwilling to disoblige the Princess of Denmark; and the Jacobites abstained from offering any opposition to a grant in the benefit of which they hoped that the banished family would participate.

It was not merely by pecuniary liberality that the Parliament testified attachment to the Sovereign. A bill was rapidly passed which withheld the benefit of the Habeas Corpus Act, during twelve months more,

from Bernardi and some other conspirators who had been concerned in the Assassination Plot, but whose Acts concern- guilt, though demonstrated to the conviction of every reasonable man, could not be proved by two witnesses. At the same time new securities were provided against a new danger which threatened the government. The peace had put an end to the apprehension that the throne of William might be subverted by foreign arms, but had, at the same time, facilitated domestic treason. no longer necessary for an agent from Saint Germains to cross the sea in a fishing-boat, under the constant dread of being intercepted by a cruiser. It was no longer necessary for him to land on a desolate beach, to lodge in a thatched hovel, to dress himself like a carter, or to travel up to town on foot. He came openly by the Calais packet, walked into the best inn at Dover, and ordered post-horses for London. Meanwhile young Englishmen of quality and fortune were hastening in crowds to Paris. They would naturally wish to see him who had once been their king; and this curiosity, though in itself innocent, might have evil consequences. Artful tempters would doubtless be on the watch for every such traveller; and many such travellers might be well pleased to be courteously accosted, in a foreign land, by Englishmen of honorable name, distinguished appearance, and insinuating address. It was not to be expected that a lad fresh from the university would be able to refute all the sophisms and calumnies which might be breathed in his ear by dexterous and experienced seducers. Nor would it be strange if he should, in no long time, accept an invitation to a private audience at Saint Germains, should

be charmed by the graces of Mary of Modena, should find something engaging in the childish innocence of the Prince of Wales, should kiss the hand of James, and should return home an ardent Jacobite. An act was therefore passed forbidding English subjects to hold any intercourse orally, or by writing, or by message, with the exiled family. A day was fixed after which no English subject, who had, during the late war, gone into France without the royal permission, or borne arms against his country, was to be permitted to reside in this kingdom, except under a special license from the King. Whoever infringed these rules incurred the penalties of high-treason.

The dismay was at first great among the malcontents. For English and Irish Jacobites, who had served under the standards of Lewis or hung about the Court of Saint Germains, had, since the peace, come over in multitudes to England. It was computed that thousands were within the scope of the new act. But the severity of that act was mitigated by a beneficent administration. Some fierce and stubborn nonjurors who would not debase themselves by asking for any indulgence, and some conspicuous enemies of the government who had asked for indulgence in vain, were under the necessity of taking refuge on the Continent. But the great majority of those offenders who promised to live peaceably under William's rule obtained his permission to remain in their native land.

In the case of one great offender there were some circumstances which attracted general interest, and which might furnish a good subject to a novelist or a dramatist. Near fourteen years before this time, Sunderland, then

Secretary of State to Charles the Second, had married his daughter, Lady Elizabeth Spencer, to Donough Macarthy, Earl of Clancarty, the lord of an immense domain in Munster. Both the bridegroom and the bride were mere children, the bridegroom only fifteen, the bride only eleven. After the ceremony they were separated; and many years full of strange vicissitudes elapsed before they again met. The boy soon visited his estates in Ireland. He had been bred a member of the Church of England; but his opinions and his practice were loose. He found himself among kinsmen who were zealous Roman Catholics. A Roman Catholic king was on the throne. To turn Roman Catholic was the best recommendation to favor both at Whitehall and at Dublin Castle. Clancarty speedily changed his religion, and from a dissolute Protestant became a dissolute Papist. After the Revolution he followed the fortunes of James; sat in the Celtic Parliament which met at the King's Inns; commanded a regiment in the Celtic army; was forced to surrender himself to Marlborough at Cork; was sent to England, and was imprisoned in the Tower. The Clancarty estates, which were supposed to yield a rent of not less than ten thousand a year, were confiscated. They were charged with an annuity to the Earl's brother, and with another annuity to his wife; but the greater part was bestowed by the King on Lord Woodstock, the eldest son of Portland. During some time the prisoner's life was not safe. For the popular voice accused him of outrages for which the utmost license of civil war would not furnish a plea. It is said that he was threatened with an appeal of murder by the widow of a Protestant clergyman who had been put to death during the troubles. After passing three years in confinement, Clancarty made his escape to the Continent, was graciously received at Saint Germains, and was intrusted with the command of a corps of Irish refugees. When the treaty of Ryswick had put an end to the hope that the banished dynasty would be restored by foreign arms, he flattered himself that he might be able to make his peace with the English government. But he was grievously disappointed. The interest of his wife's family was undoubtedly more than sufficient to obtain a pardon for him. But on that interest he could not reckon. The selfish, base, covetous father-in-law was not at all desirous to have a highborn beggar and the posterity of a high-born beggar to The ruling passion of the brother-in-law maintain. was a stern and acrimonious party-spirit. He could not bear to think that he was so nearly connected with an enemy of the Revolution and of the Bill of Rights, and would with pleasure have seen the odious tie severed even by the hand of the executioner. There was one, however, from whom the ruined, expatriated, proscribed young nobleman might hope to find a kind reception. He stole across the Channel in disguise, presented himself at Sunderland's door, and requested to see Lady Clancarty. He was charged, he said, with a message to her from her mother, who was then lying on a sick-bed at Windsor. By this fiction he obtained admission, made himself known to his wife, whose thoughts had probably been constantly fixed on him during many years, and prevailed on her to give him the most tender proofs of an affection sanctioned by the laws both of God and man. The secret was soon discovered and betrayed by a waiting-woman. Spencer

learned that very night that his sister had admitted her husband to her apartment. The fanatical young Whig, burning with animosity which he mistook for virtue, and eager to emulate the Corinthian who assassinated his brother, and the Roman who passed sentence of death on his son, flew to Vernon's office, gave information that the Irish rebel, who had once already escaped from custody, was in hiding hard by, and procured a warrant and a guard of soldiers. Clancarty was found in the arms of his wife, and dragged to the Tower. She followed him and implored permission to partake These events produced a great stir throughout the society of London. Sunderland professed everywhere that he heartily approved of his son's conduct: but the public had made up its mind about Sunderland's veracity, and paid very little attention to his professions on this or on any other subject. general, honorable men of both parties, whatever might be their opinion of Clancarty, felt great compassion for his mother who was dving of a broken heart, and his poor young wife who was begging piteously to be admitted within the Traitor's Gate. Devonshire and Bedford joined with Ormond to ask for mercy. The aid of a still more powerful intercessor was called in. Lady Russell was esteemed by the King as a valuable friend: she was venerated by the nation generally as a saint, the widow of a martyr: and, when she deigned to solicit favors, it was scarcely possible that she should solicit in vain. She naturally felt a strong sympathy for the unhappy couple, who were parted by the walls of that gloomy old fortress in which she had herself exchanged the last sad endearments with one whose image was never absent from her. She took Lady Clancarty with her to the palace, obtained access to William, and put a petition into his hand. Clancarty was pardoned on condition that he should leave the kingdom and never return to it. A pension was granted to him, small when compared with the magnificent inheritance which he had forfeited, but quite sufficient to enable him to live like a gentleman on the Continent. He retired, accompanied by his Elizabeth, to Altona.

All this time the ways and means for the year were under consideration. The Parliament was able to grant some relief to the country. The land-tax Ways and was reduced from four shillings in the pound Means. to three. But nine expensive campaigns had left a heavy arrear behind them; and it was plain that the public burdens must, even in the time of peace, be such as, before the Revolution, would have been thought more than sufficient to support a vigorous war. A country gentleman was in no very good-humor, when he compared the sums which were now exacted from him with those which he had been in the habit of paying under the last two kings; his discontent became stronger when he compared his own situation with that of courtiers, and above all of Dutch courtiers, who had been enriched by grants of crown property; and both interest and envy made him willing to listen to politicians who assured him that, if those grants were resumed, he might be relieved from another shilling.

The arguments against such a resumption were not likely to be heard with favor by a popular assembly composed of taxpayers, but to statesmen and legislators will seem unanswerable.

There can be no doubt that the Sovereign was, by the old polity of the realm, competent to give or let the vol. ix.—23.

domains of the crown in such manner as seemed good to him. No statute defined the length of the term which he might grant, or the amount of the Rights of the Sovereign in rent which he must reserve. He might part with the fee-simple of a forest extending reference to over a hundred square miles in consideration of a tribute of a brace of hawks to be delivered annually to his falconer, or of a napkin of fine linen to be laid on the royal table at the coronation banquet. In fact, there had been hardly a reign since the Conquest in which great estates had not been bestowed by our princes on favored subjects. Anciently, indeed, what had been lavishly given was not seldom violently taken away. Several laws for the resumption of crown-lands were passed by the Parliaments of the fourteenth and fifteenth centuries. Of those laws the last was that which, in the year 1485, immediately after the battle of Bosworth, annulled the donations of the kings of the House of York. More than two hundred years had since elapsed without any Resumption Act. An estate derived from the royal liberality had long been universally thought as secure as an estate which had descended from father to son since the compilation of Domesday Book. No title was considered as more perfect than that of the Russels to Woburn. given by Henry the Eighth to the first Earl of Bedford, or than that of the Cecils to Hatfield, purchased from the crown for less than a third of the real value by the first Earl of Salisbury. The Long Parliament did not, even in that celebrated instrument of nineteen articles. which was framed expressly for the purpose of making the King a mere Doge, propose to restrain him from dealing according to his pleasure with his parks and

his castles, his fisheries and his mines. After the Restoration, under the government of an easy prince, who had, indeed, little disposition to give, but who could not bear to refuse, many noble private fortunes were carved out of the property of the crown. Some of the persons who were thus enriched—Albemarle, for example, Sandwich, and Clarendon-might be thought to have fairly earned their master's favor by their services. Others had merely amused his leisure or pandered to his vices. His mistresses were munificently Estates sufficient to support the highest rewarded. rank in the peerage were distributed among his illegitimate children. That these grants, however prodigal, were strictly legal, was tacitly admitted by the Estates of the Realm, when, in 1689, they recounted and condemned the unconstitutional acts of the kings of the House of Stuart. Neither in the Declaration of Right nor in the Bill of Rights is there a word on the subject. William, therefore, thought himself at liberty to give away his hereditary domains as freely as his predecessors had given away theirs. There was much murmuring at the profusion with which he rewarded his Dutch favorites: and we have seen that, on one occasion in the year 1696, the House of Commons interfered for the purpose of restraining his liberality. An address was presented requesting him not to grant to Portland an entensive territory in North Wales. But it is to be observed that, though in this address a strong opinion was expressed that the grant would be mischievous, the Commons did not deny, and must therefore be considered as having admitted, that it would be perfectly The King, however, yielded; and Portland was forced to content himself with ten or twelve manors scattered over various counties from Cumberland to Sussex.

It seems, therefore, clear that our princes were, by the law of the land, competent to do what they would with their hereditary estates. It is perfectly true that the law was defective, and that the profusion with which mansions, abbeys, chaces, warrens, beds of ore, whole streets, whole market-towns, had been bestowed on courtiers, was greatly to be lamented. Nothing could have been more proper than to pass a prospective statute tying up in strict entail the little which still remained of the crown property. But to annul by a retrospective statute patents, which in Westminster Hall were held to be legally valid, would have been simply robbery. Such robbery must necessarily have made all property insecure; and a statesman must be shortsighted indeed who imagines that what makes property insecure can really make society prosperous.

But it is vain to expect that men who are inflamed by anger, who are suffering distress, and who fancy that it is in their power to obtain immediate relief from their distresses at the expense of those who have excited their anger, will reason as calmly as the historian who, biassed neither by interest nor passion, reviews the events of a past age. The public burdens were heavy. To whatever extent the grants of royal domains were revoked, those burdens would be lightened. Some of the recent grants had undoubtedly been profuse. Some of the living grantees were unpopular. A cry was raised which soon became formidably loud. All the Tories, all the malcontent Whigs, and multitudes who, without being either Tories or malcontent Whigs, disliked taxes and disliked Dutchmen, called

for a resumption of all the crown property which King William had, as it was phrased, been deceived into giving away.

On the seventh of February, 1698, this subject, destined to irritate the public mind at intervals during many years, was brought under the conin Parliament sideration of the House of Commons. opposition asked leave to bring in a bill vacating all grants of crown property which had been made since the Revolution. The ministers were in a great strait: the public feeling was strong; a general election was approaching; it was dangerous, and it would probably be vain, to encounter the prevailing sentiment directly. But the shock which could not be resisted might be eluded. The ministry, accordingly, professed to find no fault with the proposed bill, except that it did not go far enough, and moved for leave to bring in two more bills, one for annulling the grants of James the Second, the other for annulling the grants of Charles the Second. The Tories were caught in their own snare. For most of the grants of Charles and James had been made to Tories; and a resumption of those grants would have reduced some of the chiefs of the Tory party to poverty. Yet it was impossible to draw a distinction between the grants of William and those of his two predecessors. Nobody could pretend that the law had been altered since his accession. If, therefore, the grants of the Stuarts were legal, so were his: if his grants were illegal, so were the grants of his uncles; and, if both his grants and the grants of his uncles were illegal, it was absurd to say that the mere lapse of time made a difference. For not only was it

part of the alphabet of the law that there was no prescription against the crown, but the thirty-eight years which had elapsed since the Restoration would not have sufficed to bar a writ of right brought by a private demandant against a wrongful tenant. Nor could it be pretended that William had bestowed his favors less judiciously than Charles and James. Those who were least friendly to the Dutch would hardly venture to say that Portland, Zulestein, and Ginkell were less deserving of the royal bounty than the Duchess of Cleveland and the Duchess of Portsmouth, than the progeny of Nell Gwynn, than the apostate Arlington or the butcher Jeffreys. The opposition, therefore, sullenly assented to what the ministry proposed. that moment the scheme was doomed. Everybody affected to be for it; and everybody was really against it. The three bills were brought in together, read a second time together, ordered to be committed together, and were then first mutilated, and at length quietly dropped.

END OF VOLUME IX















